

CITY COUNCIL AGENDA

1. Call To Order

2. Roll Call

3. Meditation And Pledge Of Allegiance To The Flag

4. Consent Agenda - Approval Of Staff Recommendations

*(Items on the Consent Agenda [marked by *] will be approved as recommended by staff, subject to removal from the Consent Agenda by Council.)*

5. Approval Of Agenda And Additions

6. Presentations

7. Petitions And Requests

(Petitions received at the meeting will not be acted upon by the City Council at this meeting unless Council waives its Standing Rules)

o. Greenbelt Concert Band

Included in Council's packet is a petition from Eli Zimet, Greenbelt Concert Band, requesting Council waive the Recognition and Contribution Group Policy matching funding requirement for the Greenbelt Concert Band Music Director funds. (CM)

Documents:

[GREENBELT CONCERT BAND.PDF](#)

o. Green Ridge House

Included in Council's packet is a petition from a group of residents of Green Ridge House requesting the designated smoking area behind Green Ridge House remain in its current location. (CM)

Documents:

[GREEN RIDGE HOUSE.PDF](#)

o. Springhill Lake Elementary School

Included in Council's packet is a petition from a group of students at Springhill Lake Elementary School requesting trees be provided for planting at the school. (CM)

Documents:

[SPRINGHILL LAKE ELEMENTARY SCHOOL.PDF](#)

o. Greenbelt Station Residents

Included in Council's packet is a petition from residents of Greenbelt Station requesting construction of the pathway or bus service for residents of Greenbelt Station to Metro. (CM)

Documents:

[GREENBELT STATION RESIDENTS.PDF](#)

8. Minutes Of Council Meetings

- o. * Work Session, November 21, 2016

Documents:

[WS161121.PDF](#)

- o. * Legislative Dinner, December 13, 2016

Documents:

[LEGISLATIVE DINNER161213.PDF](#)

- o. * Work Session, December 14, 2016

Documents:

[WS161214.PDF](#)

- o. * Work Session, January 4, 2017

Documents:

[WS170104.PDF](#)

- o. * Work Session, January 18, 2017

Documents:

[WS170118.PDF](#)

- o. * Regular Meeting, January 23, 2017

Documents:

[RM170123.PDF](#)

- o. * Special Meeting, February 6, 2017

Documents:

[SM170206.PDF](#)

- o. Statement For The Record - Executive Session Of February 6, 2017

: The following motion is needed:

In accordance with the General Provisions Article, Section 3-306(c)(2) of the Annotated Code of Public General Laws of Maryland, I move that the minutes of tonight's meeting reflect that Council met in executive session on Monday, February 6, 2017, at 7:18 p.m. in the Library of the Municipal Building. Council held this closed meeting in accordance with the General Provisions Article 3-305(b)(1) and (8) of the *Annotated Code of the Public General Laws of Maryland* to discuss: 1) a personnel matter (reassignment of staff during the City Manager transition); and 2) pending or potential litigation.

Vote to close session: _____

	Yes	No	Abstain	Absent
Ms. Davis	X			
Mr. Herling	X			
Ms. Mach	X			
Ms. Pope	X			
Mr. Putens	X			
Mr. Roberts	X			
Mayor Jordan	X			

The following staff members were in attendance: Nicole Ard, City Manager, and Karen Ruff, Associate of the City Solicitor.

Other individuals in attendance: None

Council took no actions during this session. (CM)

Documents:

[ES170206.PDF](#)

9. Administrative Reports

10. *Committee Reports

- o. Arts Advisory Board, Report #2017-2 (Recommendations On Greenbelt Recognition Group Basic Certification Applications): It is recommended that Council accept this report and consider it at the Recognition and Contribution Group budget work session. (CM)

Documents:

[ARTS ADVISORY BOARD, REPORT 2017-2.PDF](#)

11. A Resolution To Authorize The Negotiated Purchase Of Landscaping Services from Lorenz, Inc. at a Cost Not to Exceed \$47,984

-1st Reading

Reference: Resolution
Memorandum, R. Fink, 02/08/2017
Request for Proposals
Proposal, Lorenz Inc.
Pre-Proposal Meeting Sign-In Sheet

The Fiscal Year 2017 budget includes \$52,000 for lawn mowing and landscaping services. Staff prepared and advertised a Request for Proposals. Responses were

received from three (3) firms: Lorenz, Inc. - \$47,984; 2) Cypress Services - \$98,000; and 3) R.H. Hilario's Landscaping LLC - \$169,400.

Public Works staff carefully reviewed the proposals received and has determined that the proposal submitted from Lorenz, Inc. is best suited to meet the needs of the City.

It is recommended the resolution be introduced for first reading. (RF)

Documents:

[RESOLUTION_.PDF](#)
[MEMORANDUM, R. FINK, 02-08-2017.PDF](#)
[REQUEST FOR PROPOSALS_.PDF](#)
[PROPOSAL, LORENZ INC..PDF](#)
[PRE-PROPOSAL MEETING SIGN-IN SHEET.PDF](#)

12. Lakeside North Development Concept

The City Council received a petition urging the Council to oppose the proposal of building a luxury high-rise apartment building behind the Lakeside North apartments, which was discussed with City Council during a work session with the property owner, Mr. Hillman. To date, no development proposal has been submitted to the City's planning department and/or the County. Typically, development proposals are not acted on by the City Council until a development review application has been submitted to the City and/or a referral from Maryland - National Capital Park and Planning Commission has been received, and vetted through the City's advisory boards.

The concept shared with Council proposes a 25-story, 400 unit luxury apartment building on 5 acres located within the Lakeside North Apartment property. The subject property is 18.9 acres and zoned R-30, multi-family. The property is not within the Residential Planning Community Zone (R-P-C), the Greenbelt National Historic District or within the Greenbelt National Historic Landmark designated area.

The existing density of Lakeside North Apartments is 14.6 dwelling units/acre, exceeding the allowed density of 10 dwelling units/acre and rendering the property nonconforming. The 400 unit apartment building would further make the development nonconforming, and City planning staff is unaware of any scenario under existing zoning and zoning proposed in the County's zoning re-write process that would allow for the development concept to move forward. Furthermore, in staff's opinion, a 400 unit apartment building is out of scale for this location and represents poor planning. The scale and massing of the building, as well as impacts on traffic, environment and National Historic District, render the development inappropriate for its location.

It is recommended that Council convey its concern/opposition to the Lakeside North Development Concept to Mr. Hillman. (TH)

13. State Legislation

Reference: HB 36
 SB 142
 HB 172/SB 728
 SB 397
 SB 422/HB 602
 List from Senator Pinsky's Newsletter

HB 36 – Plug-In Electric Vehicles – Reserved Spaces

This legislation prohibits a person from parking a non-electric vehicle in a designated plug-in electric vehicle charging space. The bill imposes a civil penalty of \$100. Delegate

Gaines is a co-sponsor of HB 36.

It is recommended Council support HB 36.

SB 142 – Task Force to Study Bicycle Safety on Maryland Highways

This bill would establish a State task force to study and make recommendations regarding bicycle safety on State highways. The task force membership includes a Maryland Municipal League (MML) representative. The MML Legislative Committee voted to support this bill.

It is recommended Council support SB 142.

HB 172/SB 728 – Home Act of 2017

Currently in Maryland, housing discrimination based on source of income (i.e, Section 8 vouchers) is not prohibited by law. This issue was identified in the housing affordability study produced last summer by MML Intern, Mary Kolar. This legislation would prohibit such discrimination. Similar legislation was introduced in 2016 but did not make it out of committee. Eleven other states have enacted similar laws.

It is recommended Council support HB 172/SB 728.

SB 397 – Local Income Tax Overpayments – Forgiveness

The City receives a share of the State income taxes collected in Greenbelt. Last year, the Comptroller of Maryland announced that many local governments had been allocated more income tax revenue than due from 2010-2014. This bill would allow the Comptroller to forgive these income tax overpayments to counties and municipalities. The MML Legislative Committee voted to support this bill.

It is recommended Council support SB 397.

SB 422/HB 602 – Keep Antibiotics Effective Act

This bill would limit the routine use of antibiotic drugs for animals on large farms. Antibiotics could still be used to treat sick animals or stop an infectious outbreak. Senator Pinsky is the primary sponsor of SB 422. Council supported a similar bill last year.

It is recommended Council support SB 422/HB 602.

List of Bills from Senator Pinsky

Included in Council's packet is a list of Senator Pinsky's legislative initiatives for 2017. Other than SB 422, staff has not had the opportunity to review these bills.

Council direction is sought. (DEM)

Documents:

[HB 36.PDF](#)

[HB36_.PDF](#)

[SB 142.PDF](#)

[HB 172_SB 728.PDF](#)

[SB 397.PDF](#)

[SB 422_HB 602.PDF](#)

[LIST FROM SENATOR PINSKYS NEWSLETTER.PDF](#)

14. Council Activities

Council will report on activities and events recently attended. (If time allows.)

15. Council Reports

Council will report on meetings and conferences recently attended. (If time allows)

16. * Repurpose Of Newspaper Vending Box

Reference: CRAB Report #2016-2
AAB Report #2016-3

Elizabeth Barber has suggested that the city repurpose an unused newspaper vending box at Southway and Crescent. Her suggestion is that it be repainted and stocked with magazines for users of the adjacent bus stop. The request was reviewed by the Community Relations Advisory Board and Arts Advisory Board. Their reports have been accepted by Council. Each board supports the idea along with a few conditions such as a six month trial period, maintenance of the box, and review of a proposed design.

It is recommended Council support the request with the conditions and direct staff to contact Dr. Barber. (MPM)

Documents:

[CRAB REPORT 2016-2.PDF](#)
[AAB REPORT 2016-3.PDF](#)

17. * Reappointments To Advisory Groups

Reference: Reappointment Surveys

The following individuals have indicated their willingness to continue to serve on City Advisory Boards and Committees:

Janet Mirsky	Advisory Committee on Education
Mark Gransfors-Hunt	Arts Advisory Board
David Whaples	Board of Appeals
Dan Hamlin and Dea Zugby	Community Relations Advisory Board
Valerie Elliott	Forest Preserve Advisory Board
Matt Dirksen	Greenbelt Advisory Committee on Environmental Sustainability
Etta Fitzgerald and Paula Williams	Senior Citizens Advisory Committee

Approval of this item on the consent agenda will indicate Council's intent to appoint them to new terms. (CM)

18. * Resignations From Advisory Groups

Reference: Reappointment Survey
Email, J. McNeal, 01/31/2017
Letter, M. Johnson, 02/07/2016

Phyllis Budin has submitted her resignation from the Senior Citizens Advisory Committee and Matthew Johnson has submitted his resignation from the Advisory Planning Board. Also, Joe McNeal, Assistant Director of Recreation, has advised that Patrick Gleason is no longer able to serve on the Youth Advisory Committee.

Approval of this item on the consent agenda will indicate Council's intent to accept the resignations Ms. Budin, Mr. Johnson and Mr. Gleason with regret. (CM)

19. MEETINGS

Reference: Chart, Stakeholder/Regular Meetings
Master Calendar
Memorandum, C. Murray, 01/26/2017

2017 Meeting Schedule: At the work session on February 6, Council reviewed its 2017 meeting schedule. The following changes to the 2017 meeting calendar were suggested:

- No work session on Monday, April 17 (Easter Monday)
- Reschedule June 12th and June 26th Regular Meetings to June 5th and June 19th (Budget Adoption Prior to June 10th and MML Conference June 25th – 28th)
- No work session on Wednesday, September 20th (Rosh Hashanah)

A motion is required to approve this schedule change.

Regular Meeting	Mon.	2/13	8:00 pm
Interview for Advisory Group (CC)	Wed.	2/15	7:40 pm
Work Session – Financial Interests Reports/Petitions and Requests Report (CC)	Wed.	2/15	8:00 pm
No Meeting (Presidents Day Holiday)	Mon.	2/20	
Work Session – Advisory Group Chairs (CC)	Wed.	2/22	8:00 pm
Legislative Dinner (Annapolis)	Thurs.	2/23	6:00 pm
Regular Meeting	Mon.	2/27	8:00 pm
Work Session – TBD (CC)	Wed.	3/01	8:00 pm
Work Session – Dog Park	Mon.	3/06	8:00 pm
Work Session – NASA/GSFC (CC)	Wed.	3/08	7:30 pm
Work Session – Council Goals (tentative)	Sat.	3/11	9:30 am
NLC Congressional City Conference	Sat.- Wed.	3/11 -15	
Regular Meeting	Mon.	3/13	8:00 pm
No Meeting	Wed.	3/15	
Work Session – Beltway Plaza	Thurs.	3/16	7:30 pm
Work Session – TBD	Mon.	3/20	8:00 pm
Work Session – TBD (CC)	Wed.	3/22	8:00 pm
Regular Meeting/Budget Presentation	Mon.	3/27	8:00 pm

Documents:

[MEMORANDUM, C. MURRAY.PDF](#)

CITY OF GREENBELT
City Clerk's Office
25 Crescent Road
Greenbelt, Maryland 20770

Memorandum

Date: January 26, 2017
To: City Council
Fr: Cindy Murray, City Clerk *CM*
RE: Petition from Eli Zimet, Greenbelt Concert Band

The attached petition from Eli Zimet, General Manager of the Greenbelt Concert Band, was received in my office on January 20th. The petition requests that Council exempt the Greenbelt Concert Band from the Operating Grant requirement to provide matching funding for the stipend of the Greenbelt Concert Band Music Director which is \$3,600 per year. The band will match funding for its operating costs of \$1,000 a year for the Fiscal Year 2018.

The petition will be included under "Petitions & Requests" on the February 13, 2017, Council agenda.

cc: Nicole Ard
Julie McHale
Greg Varda
Nicole DeWald

January 17, 2017

Ms. Cindy Murray
Greenbelt City Clerk
25 Crescent Road
Greenbelt MD, 20770



Dear Ms. Murray,

I have attached to this letter a petition to the Members of the Greenbelt City Council and I am requesting that you distribute copies of this attachment to all the Members and the Mayor for their consideration and action.

The petition requests that the City Council exempt the Greenbelt Concert Band from the current Operating Grant requirement to provide matching funding for the stipend of the Greenbelt Concert Band Music Director which is \$3,600 a year. The Band will match funding for its operating costs of \$1,000 a year for the coming fiscal cycle of 2017-2018.

I will be happy to address this petition at a future Council meeting if requested.

Respectfully yours,

Eli Zimet
General Manager
Greenbelt Concert Band

zimete@verizon.net
home: 301-977-2312
cell: 703-967-1149

Attachment: Letter to the Greenbelt City Council

January 16, 2017

Letter to the Greenbelt City Council
From the Greenbelt Concert Band Board Members

Dear Greenbelt City Council Members,

We, the members of the board, on behalf of the members of the Greenbelt Concert Band, are writing to you in the hope that you can address a funding crisis that has evolved from the new Operating Grant Proposal requirements for the period July 2016 through June 2017. The new requirement that an Operating Grant Group provide matching funds (in cash) to any amount provided by the City Council will effectively cut the funding provided to the Band by the City in half. We also would like to propose a solution that would provide fiscal stability to the Band yet would not cost the City more funding than they have provided to us in the past.

For many years the band has received an allotment of \$4600 of which \$3600 funds our conductor and \$1000 offsets other expenses such as equipment, public relations, and music. We do get contributions from some of the venues we play such as the Beltsville Recreational Center but not nearly half of what Greenbelt provides. Since the \$4600 provided by the City in the past completely meets our financial needs having to raise half that amount would be devastating.

The Concert Band, as the only Community Band in Prince Georges County, has a 76 year tradition of providing quality musical performances to the citizens of Greenbelt and to surrounding communities marking the City's traditions, anniversaries and holidays. We continuously receive glowing accolades from our many concert attendees verbally as well as by e-mail. An important function of the Band is to serve as a goodwill ambassador from the City to our neighboring communities that also emphasizes our City's commitment to cultural excellence. The Band publically recognizes the support of the City of Greenbelt at every Concert and serves as a source of pride to the City.

As you know, Tom Cherrix stepped down as conductor after serving in that capacity for 22 years. After a search we were extremely fortunate to bring on board one of the finest band directors in Maryland, Ms Joan Rackey, who has over 40 years of professional conducting experience. We only provide Ms Rackey with \$3600 a year so she is clearly donating much of her time for free. No one else in the band is compensated. At this point we would be lost without her. The funding provided to our Music Director is in line with what other art councils and foundations in Maryland provide to their Community Bands without any requirement for matching funds from the bands. Examples include the Rockville, and Montgomery Village Bands in Montgomery County.

There are several reasons why we are reluctant to either charge membership dues to our band members who pay for all their music related expenses plus, of course, travel expenses. Mainly, we look at the Concert Band as a "giver" rather than a "taker" of charity. We appreciate the Council's support and attendance of our concerts in

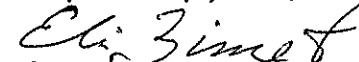
Greenbelt such as the Holiday Lights Concert and the Holiday Tree Lighting. If in addition you were to attend one of the many concerts that our Wind Ensemble gives at retirement and nursing homes, you would see how our concerts light up the day for many residents that come up to us after a concert to thank us. Playing at the Greenbelt American Legion #136 is also a form of giving to our veterans.

While we certainly don't reject the concept of accepting contributions (we already accept voluntary contributions), we hope we can get relief from the 50/50 funding requirement and the implied major reduction to the funding supplied to the Band from the City of Greenbelt.

We propose the following solution to our funding quandary which will not increase our funding from previous years but will provide fiscal stability and relieve the Band from aggressive fundraising. As Conductor of the Greenbelt Concert Band, Ms. Rackey is inherently a contracted employee of the City. Our proposal is to take her out of the loop of requesting her funding through the Arts Council and to make her a direct contract support to the City Council so that the Council would directly provide her with \$3600 a year while the Band would pursue the additional funding it needs for operational costs through the new Operating Grant process including the requirement for matching funds.

We sincerely hope you can assist us in addressing our fiscal issue. Many generations of Greenbelters have been entertained and enlightened by performances of the Greenbelt Concert Band and we look forward to continuing to provide quality music and good will to the Citizens of Greenbelt and to our neighbors in Prince Georges County and beyond for the foreseeable future.

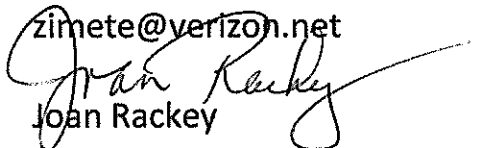
Respectfully yours,



Eli Zimet

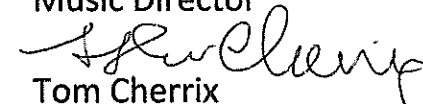
General Manager
13025 Scarlet Oak Dr
Gaithersburg, Md 20878

zimete@verizon.net



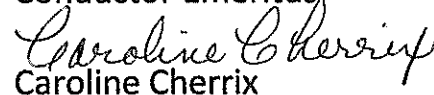
Joan Rackey

Music Director



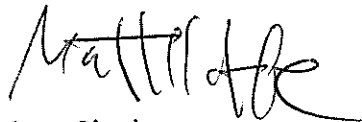
Tom Cherrix

Conductor Emeritus



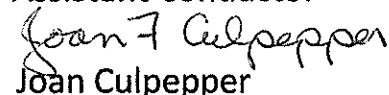
Caroline Cherrix

Personnel Manager



Matt Clarke

Assistant Conductor



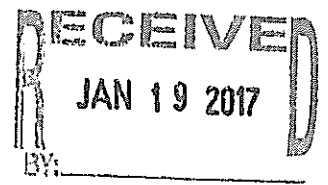
Joan Culpepper

Librarian



Paul Quillen

Treasurer



January 12, 2017

Honorable Mayor Emmett V. Jordan
Honorable Mayor Pro Tem Judith F. Davis
City Council Members; Mr. Konrad Herling, Ms. Letta Mace,
Ms. Silke Pope, Mr. Edward V. J. Fuke, and Mr. Rodney M. Robb
Greenbelt, MD 20770
Dear Sirs and Madams,

This is the second letter in which I bring our concerns to your attention. Also, some fellow smokers have expressed the desire to add their signatures to this request.

We understood in 2016, that Greenbelt would stop our smoking area, as of Jan 1, 2017. There is now, a suggestion that our smoking area may be denied as of February 1, 2017.

We want to take this opportunity to plead our case once more.

We are senior "citizens" and disabled "citizens" of Greenbelt, MD. We reside at Greengridge as "citizens" When original leases were signed we were shown two designated smoking areas. Now, we have one area. The ability to smoke outside in designated areas was a prime factor

in determining our desire to move into (biologically) "thru".

We are smart and smart persons. We have had lifetime selections for many years. We do know that smoking is not considered to be a good habit. It is a matter of selection for most of us in having a physiological effect. Living up nature rapidly could cause a breakdown. The smoking cessation class we have participation, with a good success rate. Although we really made an effort to stop smoking.

We now want and should receive Ridge Rd is not safe. The weather is changing. At any time, the sidewalks and streets will become snowy and icy. Many of us will not be able to climb the snow, merge the we and create road.

At night and or daytime winter and disabled will be forced to cross Ridge and subject to traffic. We do have a clearance and traffic light. This is most appropriate. However, sometimes down from our not light. Some animals


are in wheelchairs and walking devices. Unfortunately, we could be subject to injury on the road. It is frightening.

Cigarette smoking has a social nature for lonely, known and disabled persons. Stopping over privilege may cause more isolation and mental illness.

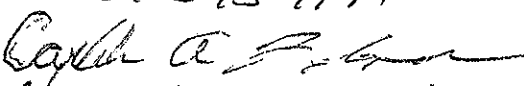
The area across Ridge has no cover for inclement weather. There are no trash cans. The area is just not equipped. At night the lighting is not sufficient. It is dark and can be dangerous. We could fall prey to muggers and criminals.

Please allow us to keep our smoking area behind Greenridge House. We are 25 ft from the building. Thank you for your kind consideration in advance.

Please HELP US!

Roger Wilson
Betty Humphrey


Teresa Long
Kelly Van Patten

Respectfully submitted,
Jaret L. Tarrus
22 Ridge Rd # 304
Greenbelt, MD 20770
301-345-1141

TERESA 5-555LER

MEETINGS

- Mayor and City Councilmembers (Individually)
- City Directors (Individually, confirmation of established bi-weekly staff date and time)
- City Law
- City Clerk
- City Employees (Departmental tours and ride alongs; individual meetings with each employee throughout the year - need assistance with best method/scheduling)
- Employee Bargaining Unit Representatives

- County Administrator
- College Park Manager
- Bowie Manager
- New Carrollton Manager
- Berwyn Heights Administrator
- Beltsville Administrator
- State Highway Administration area staff representative
- MARC
- METRO
- County Transit
- MWCOC
- Maryland Municipal League
- Maryland-National Capital Planning and Parks
- Volunteer Fire
- Greenbelt CERT representative (or attend a regularly scheduled CERT meeting)
- County Police
- State Police
- Park Police
- Doctors Community Hospital
- Greenbelt Area K-12 School Administrators
- Maryland Commerce staff
- Maryland Environment staff

Utilities

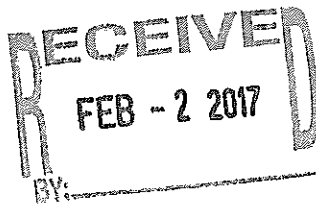
- WSSC
- PEPSCO
- Washington Gas
- Community Cable Consortium
- Comcast; Verizon

Dear City Council member,

Hi my name is Edwin Moreno and my school name is Spring Hill Lake Elementary. I live in Greenbelt and I'm the 5th grade in Ms. Todd room. What we want is to plant tree in Greenbelt so tree can make place. Healthy tree are important because they provide food for animal.

Another reason they are important because tree keep the creek clean by preventing run off. Some trees block the sun. And tree shade on the playground. Finally, tree is beautiful because tree life change color.

I conclude trees are healthy for our environment. I think we should plant trees at SHL because it will look pretty and healthy. Please give us trees to plant at our school.



2/3/17
cc: Council

Sincerely,
Edwin Moreno

11/21, 2018

Dear City Council Member,

My name is Shawn Ndirumutiele. I am in 5th grade in Ms. Tate's class. My class would want trees for the school yard.

One reason trees are important is because they make homes for squirrels, birds, provide food for animals, keep the creek clean by preventing runoff. They also give us oxygen, finally, ^{trees} provide shade on the playground.

I conclude trees are healthy for our environment. I think we should plant trees to stay healthy because ~~it keeps our~~ ^{keep clean} please give us trees to plant at our school.

Sincerely

Shawn

Ndirumutiele

Dear City council member,
My Name is Hens. I go to school
at Spring Hill Lake Elementary
School. I am in Ms. Todd's class,
and I am a fifth grader.
My class wants to grow trees
in the school yard. The main reason
I want to plant trees is they make
the environment healthy because they
give air and oxygen.

Trees give food for animals. They
also keep the creek behind our school healthy.
Finally, trees are important because
they give animals shelter, a place to
live.

I conclude we need trees because trees

make more oxygen. please give us trees
to please give us trees to plant at
our school.

11/21/2016

Dear city council Member,

Hi my name is Daniel Burey.

my school's name is Springhill Lake Elementary School. It's in Greenbelt, MD. I am in 5th Grade. my teacher name is ms Todd's class. I want to plant more trees so the plants and animal will live.

One reason I want to plant tree at are school because they help us. By giving us a place that plants and animals can live. Tree can also give use a place to play, tree are helpfull with giving use Syrup. finally, we need tree because they help use with food we need.

I conclude trees are healthy for our environment. I think we should plant trees at stll becuse, the trees will help with are needs. please give us trees to plant at our school.

Sincerely,
Daniel Burey

11-21-16

Dear City Council Member,

My name is Jason Morales. I go to Springhill Lake Elementary School. I am in 5th grade. My teacher is Ms. Todd's class. My class want to plant tree.

One reason we could plant trees is to get air. Another reason we want to plant trees is to get shade on the playground. Finally, the animals can hide inside trees to be safe from other animals.

In conclusion, trees are healthy for our environment. I think we should plant tree at SHL because _____. Please give us tree plant at our school. We want to plant trees. trees are healthy for us and shade.

Sincerely
Jason Morales

11-216

DEER CITY COUNCIL MEMBER,

Hi MY name is Marie. I am
a 5th. in Mrs. Todd's class. in Springhill-
Lake. Elementary School. MY class wants
A Lot of Trees in the Playground.
Planting trees will give us
more oxygen. They give homes
for animals. They give shade
on our playground. Trees are
beautiful to look at because
they change color.

I conclude trees are
healthy for our environment.

I think we plant trees
because they gives us

11/2/16

more clean env, can you please
give us trees to plant at
our school.

CRAZY Marie Perez

11-21-16

Dear City Council Members,

Hi My name is Amy Ascencio

My school name is Springhill Lake Elementary School. I am 5th grader in Ms. Todd class. We want to grow lots of tree in our playground.

One reason trees are important is provide food for animals.

Another reason trees are important is make the environment

healthy because they gives air and oxygen. Another reason trees are important is provides shade on the playground.

11-29-10

Second Keep the Creek Clean
by preventing runoff. Finally animals
(bird, squirrels) hide and live in
trees to protect themselves and
their young.

I conclude trees are healthy for
our environment. I think we
should plant trees at STL
because trees are important
is make the environment
healthy because they gives
air and oxygen. Please give us
trees to plant at our
school.

Sincerely,
Amy Ascencio

11-24-16

Dear City Council

Hi my name is caron and i go to SHL and my teacher name is mrs todd and we need help plant tree because we need to keep our City clean because animals need tree to.

I conclude trees are healthy for our environment. I think we should plant trees at SHL because we need animals. please give us tree to plant at our School. Sincerely
Caron Gary Brewer

Dear, City Council Member

Hi my name is Fatima Ortega. My school name is SpringHill Lake Elementary school. I am in 5th grader in Ms. Todd's class room 5. We want to grow lots of trees in are playground.

one reason why trees are important is trees provide food for animals. Another reason trees are important is trees make the environment healthy because they give us air and oxygen. Finally trees are important since animals (birds, squirrels) hide and live in trees to protect themselves.

I conclude trees are healthy for are environment . I think we should plant trees at SHL because trees give us clean oxygen and air. Please give us trees to plant at our school.

Sincerely,

Fatima Ortega

Dan City Council
hi my name is Jason I'm
turning 5 and I go to
Springhill Lake Elementary
School and I am 5'11" tall
and I am 110
lbs I like to play
we would like to plant
trees and we would
like to invite you to
our class room and
we would like to
get a plan for trees
and the school and we
will be saving
is that would be help and I
am and other things
and I love you all

Why we need trees
because it makes
Oxygen for us
and from bonds
get a habitat
and we need
and so that is
why we need
trees

I conclude trees
are healthy for our
environment. So only
dismantling be

TO: Greenbelt City Council

FROM: Residents of the Greenbelt Station development who signed this petition

REQUEST:

The signatory residents of the Greenbelt Station community submit this petition to Greenbelt City Council for action:

We request that City Council work with the Washington Area Metro Transit Authority (WMATA), Prince George's County transit authorities, Greenbelt city bus service, and Woodlawn (Greenbelt Station Developer) to formulate and begin implementation of a viable, sustainable solution for providing access to the Greenbelt Metro Station, as originally advertised, for the residents of the Greenbelt Station community by August 1, 2017.

BACKGROUND:

Many individuals who purchased property in the Greenbelt Station development were told by the developers that a walk/bike path was to be constructed from the South core, over Narragansett Creek to the Greenbelt Metro Station and that it would be ready for use as early as the spring of 2014. This path would provide residents access to the metro station via a 15 minute walk from their homes or an even shorter bike ride. The promise of the path was a major selling point for many of us. The path never happened.

The developers have communicated to City Council at multiple City Council Meetings and work sessions that all of the engineering work for constructing the path has been completed and that it is fully funded. They are ready to do it. However, the construction has been stalled by WMATA, who owns the easement on which a portion of the path would traverse.

A public hearing (N. 608) was held on Feb. 23, 2016 at the Greenbelt Marriott concerning Docket R16-01: Proposed Changes to WMATA facilities at Greenbelt Metro. The hearing gave citizens an opportunity to provide public comments regarding the proposed changes. Many citizens spoke of the importance of Greenbelt as a connected, transit-oriented community. A resident of Greenbelt Station community petitioned WMATA to allow the promised path to the Metro to be constructed for these reasons, adding that it would also increase ridership, property values and the City's tax base. Soon after the hearing, WMATA informed the City it would allow construction of the path. However, in March 2016 City Council was informed by WMATA that it reversed its decision. They communicated that their permission to construct the path is now conditional on the decision to relocate FBI HQ: If the decision is made not to move the FBI HQ to Greenbelt, they will allow the developers to go forward with path construction.

If the decision is made to relocate FBI HQ to Greenbelt, WMATA will not allow construction of the path until after construction of the FBI building is completed. Garth Beall, the Renard developer of the North Core, indicated at a City Council Work Session on 30 January 2017 this might not happen until 2040.

At a City Council Work Session in the fall of 2016 on the topic of transportation with representatives from WMATA and PG County transit Authorities, several citizens pressed for a solution to provide Greenbelt Station residents bus access to the Greenbelt Metro by creating a bus stop along Greenbelt Road across from the ingress point into the community. "Absolutely not" was the response from the transit authorities. They claimed that it would be too costly and nearly impossible to make the stop ADA compliant due to the steep grade and guardrail along that section of road. Additionally, the severe cutbacks in WMATA services and budget planned over the next few years make the likelihood of obtaining a new stop to service the residents of Greenbelt Station grim.

CURRENT SITUATION

In the meantime, the developers have been providing a limited shuttle service to the Greenbelt Metro Station for the residents. Walking or biking to the Metro is not practical as it takes approximately 45 minutes to an hour to complete the trip and requires traveling through an area that many do not feel safe traversing, particularly when it is dark. The shuttle service the developers are providing will go away when construction of the community is completed and the developers pull-out. Current timeline projects this will happen in roughly 3 years (2020). After this, it will be the HOA's responsibility to maintain the shuttle service. This is not likely to happen due to the prohibitive expense of the service. There is no bus service or alternative in the works to take its place. There is exactly one road into and out of the community that connects to route 193 (Greenbelt Road). The developer-sponsored shuttle service logs a comparable number of monthly trips (1,617) as the City and Metro buses: for example, The Bus Route 11 logs about 1490 trips/month and the Metro R12 logs about 1,584 trips/month. (Statistics provided by Terry Hruby, Greenbelt Assistant Director of Planning). The community need for Metro access exists now and continues to grow as phase III of the Greenbelt Station development will begin construction soon.

CONCLUSION

The residents of Greenbelt Station who signed this petition do not want a decision regarding the location of FBI HQ to decide the fate of the construction of the originally planned path-to-the Metro. We request that City Council work aggressively with WMATA to come up with a solution: Allow construction of the path or provide bus shuttle service to the Metro that would stop inside the Greenbelt Station community.

Alternatively, we request that the City of Greenbelt work with TRU-G on providing a temporary shuttle service to the Greenbelt Metro for the residents of Greenbelt Station until a permanent solution materializes. We request that implementation of the solution begin by August 1, 2017.

Respectfully,

Awosika, Taiwo	Greenbelt Station
Bodenschatz, Doug	Greenbelt Station
Benedetti, Andre	Autoville
Fraine, Kevin	Greenbelt West
Griffith, Pamela	Hollywood
Hall, CM	Oak Springs
Herring, Angela	Greenbelt Station
Huang, Ann	Greenbelt Station
Jazs, Sarah	Hollywood
Jenkins, Mary Dell	Greenbelt Station
Johnson, Kiersten	Oak Springs
Jones, Candice	Greenbelt Station
Keller, Greg	Greenbelt Station
Kelly, Kathleen	Greenbelt Station
Kelly, Ronald	Greenbelt Station
Lee, Ray	Greenbelt Station
Nisar, Aurangzeb	Cherry Hill
Padayachee, Deneshree	Greenbelt Station
Pierce, Vanessa	Greenbelt Station
Potter, Emeri	Greenbelt Station
Rosenthal, Lore	2-Court Gardenway, Greenbelt
Scheck, Scott	Greenbelt Station
St-Fort, Fabiola	Greenbelt Station
Taha, Houda	Greenbelt Station
Trullinger, Lina	Greenbelt Station
Vanderheiden, Kate	Greenbelt Station
Vegter, Tamberly	Greenbelt Station
Walters, Patricia	8122 S. Channel Drive, Greenbelt Station

Addendum 1

David Talbird & Darlene Jean-Pierre, MD, 5337 Stream Bank Lane, Greenbelt, MD 20770

Concern with the one amenity that is an absolute must

My wife and I moved here to Greenbelt Station in September of 2016. The only reason we even looked at moving to Greenbelt was due to the advertised metro access. This is very important to us and for many families like ours. We very much value the easy access to public transportation as my job is in the District.

We are a family that believes in investing in a community. We are currently raising our three year old daughter and hope to have future children. We'd like to support Prince George's Public schools when our daughter is old enough, and she is currently enrolled in a PG Parks and Recs gymnastics program at Sports and Learning Complex. We had been excited with establishing our futures here.

Unfortunately, if we do not have clarity on when we will get a path built to directly access Greenbelt Station Metro we will definitely consider a move in the near future. We feel like we've been deceived by false advertising and would rather support an area that fulfills its pledges to its constituents. Failure to deliver would also deter young professional families like ours from moving to the area and expanding the tax base. If we do not get an acceptable resolution soon, I anticipate it to be a major setback to further development as property values would take a major hit.

We would simply request that the Council move forward as quickly as possible to work with WMATA in order to provide sustainable metro access to our community at Greenbelt Station. The longer this goes on the worse it will get for all parties involved, and we may be forced to abort our attempt to establish our futures here in the community.

Sincerely,

David Talbird & Darlene Jean-Pierre, MD

ADDENDUM 2

Patricia Walters, 8122 South Channel Drive, Greenbelt, MD 20770

Empty Promises and Increasing Frustration

The following requirements are from Detailed Site Plans for the development dating from 2006 - 2014. Even those who cross-checked NVR's promises to us would have been misled by the information contained in the site plans:

Case No. SP-01008/01- County Council of Prince George's County Order Affirming Planning Board Decision with Conditions -approved in June 2006 states:

- "South Core...neighborhood-serving retail and/or office shall include at minimum, 80,000 square feet.....Development in the south core shall contain at least two of the following three land use types: residential, neighborhood commercial, and office." (Note: we have No retail, No office space)
- "Future detailed site plans shall give full consideration to the provision of extensive nonvehicular amenities and design features.....(a) Providing direct pedestrian connections between land uses and the Metrorail station rather than circuitous ones" (Note: all Greenbelt Station residents have now is an extremely long circuitous route to the Metro Station)
- "Emphasis shall be placed on a mixed-use development that is pedestrian-and bicycle-friendly, a grid street pattern with buildings close to the sidewalk, and civic areas with plazas and parks at regular intervals. Buildings may be set back from a street to provide for outdoor uses such as cafes." (Note: We have a lack of promised green space, no plazas and no mixed use buildings)
- "The applicant shall make all reasonable efforts to include within the neighborhood serving commercial area of the South Core a boutique grocery store (such as Trader Joe's, Balducci's, or Whole Foods). This grocery store shall be oriented to provide access to an outdoor sitting/gathering area, adjacent to the adjoining retail/commercial users." (Note: In place of this low-income townhomes will be built)
- "Prior to the issuance of the 200th residential building permit....the applicant shall provide a pedestrian and service vehicle connection from the terminus of the north/south connector road to connect with the WMATA Metrorail platform" (Note: Never happened)
- "The applicant shall establish a continuing funding mechanism for a trolley/tram or similar light transit system to provide a mobile connection between North and South Cores" (Note: Not even on the radar anymore)
- "Bike racks shall be provided" (Note: This is something we may get. Hurray?)

MNCPPC Greenbelt Station Preliminary Plan 4-01026 approved in August 2012

- The Ridership Survey used in the study was based on data gathered in 1989! Has this been updated?
- Section 27-475.06.03 entitled "Metro Planned Community Purposes: states:
 - (9) "To permit a flexible response to the market"
 - (14) "To promote the application of and to be in conformance with the planning recommendations, strategies and/or guidelines for Metro Station areas included in existing community or area Master Plans and Sectional Map Amendments."(Note: The language is becoming increasingly vague!)

Case No: CSP-01008-02 County Council of Prince George's County Order Affirming Planning Board Decision with Conditions approved June 2014

- "The applicant shall designate an area for potential retail on a 0.5-acre site adjacent to the central park, west of Greenbelt Station Parkway, for the south core area. However, if prior to the

issuance of the 150th building permit, the retail is not economically feasible (demonstrated by executed sales of leasing agreement), the 0.5-acre area shall be converted to public parkland." (Note: Who dropped the ball on the retail? Was there even an effort to attract a small coffee shop, 7-Eleven or extension of the Greenbelt Co-op? Far cry from the originally recommended Trader Joe's, but at least we would have something)

- "Revise the zoning labels on the subject property and surrounding properties to conform to the 2013 'Approved Greenbelt Metro Area and MD 193 Corridor Sector Plan and Sectional Map Amendment' *The sector plan envisions the development of the Greenbelt Metro Metropolitan Centers as an interconnected, vibrant, and diverse mixed-use, transit-oriented eco-community-building historic commitment to sustainability of the on the City of Greenbelt and Town of Berwyn Heights... A high quality of life with an emphasis on housing and neighborhood preservation, including the maintenance and enhancement of living conditions for all residents and attract workers, business, and visitors and provide more reasons for current residents to remain in their communities.*

Source:

http://www.pgplanning.org/Projects/Completed_Properties/Completed_Plans/Greenbelt_Metro_Area_Sector_Plan_and_SMA.htm accessed 02.01.2017. I'm not sure what our current zoning requirements are, but I do know that our development is much denser than originally envisioned or planned for. Parking is a huge issue. Emergency vehicles will find it challenging to safely navigate among the properties. The image below is a picture from page 216 of the Sectional map amendment depicting the District Overlay Zone for the South Core. The image depicts a much larger distance between building units than what we actually have now (narrow alleyways) and also green space on each side of the road. We have no green space in the alleyways. In fact, during 2015's record breaking snowfall there was no place to put the snow, making it nearly impossible to dig ourselves out.



Image depicting South Core Zoning Overlay from the 2013 'Approved Greenbelt Metro Area and MD 193 Corridor Sector Plan and Sectional Map Amendment located here:

http://www.pgplanning.org/Resources/Publications/Greenbelt_193.htm

In addition, misleading statements are being advertised both on-line and at the entrance to the development. At this website (accessed February 5, 2017):

<http://www.greenbeltstationmd.com/community.html>

The following are advertised as amenities:

- Walking trails encompass the community (Not yet)

- Community Park open Summer of 2016 (still under development)
- Community Shuttle to Metro and Marc (Temporary)

In addition to these misleading claims, to the right of them on the webpage is a clickable link to the site plan which clearly shows the path to the Metro:

http://www.greenbeltstationmd.com/Greenbelt_Site_Plan_Phase_I.html

A copy of the site map accessed on February 5, 2017 on the webpage above is copied on the next page.

Also as of February 5, 2017, at the entrance to the development, there is a Metro Access sign next to the Ryan Home placard. This is misleading, as the Metro Access is likely temporary.

Greenbelt
Metro Station



GREENBELT
STATION

PHASE I & II



Ryan Townhomes



Ryan Townhome Condominiums

So, these empty promises are at the root of our frustrations. A large percentage of residents moved into the South Core because of the promise of ease of Metro access. I know of at least one person who eschewed his car believing he would no longer need it. None of us are happy about:

1. Lack of Metro access
2. Lack of promised "mixed-use" retail. We don't even have a meeting space for community gatherings
3. Increased density in the development

Given the level of dissatisfaction, I wonder about the future of the Greenbelt Station Development. Many have turned their properties into rentals. In fact, the rental market is very good in that area as it attracts University of Maryland Students, Professors, NASA Goddard Interns, as well as individuals who are not in the position to buy. The townhome designs also make them easy to rent out.

Lack of promised amenities makes residents spend their money outside of Greenbelt. If you are looking forward to a Trader Joe's or a Whole Foods, would you want to shop at the Giant in Beltway Plaza Mall? I think residents will spend their money at the Whole Foods in College Park and the surrounding stores being constructed around it.

WORK SESSION OF THE GREENBELT CITY COUNCIL held Monday, November 21, 2016, to receive a Police Body Camera Briefing.

Mayor Jordan started the meeting at 8:03 p.m. The meeting was held in the Council Room of the Greenbelt Municipal Building.

PRESENT WERE: Councilmembers Judith F. Davis, Leta M. Mach, Silke I. Pope, Edward V. J. Putens, Rodney M. Roberts and Mayor Emmett V. Jordan. Councilmember Konrad E. Herling was delayed and arrived at 8:07 p.m.

STAFF PRESENT WERE: Michael McLaughlin, City Manager; Dale Worley, Director of IT; Tom Kemp, Acting Police Chief; Tom Moreland, Police Captain; Gordon Pracht, Acting Police Captain; Tim White, Police Sergeant; and Cindy Murray, City Clerk.

ALSO PRESENT WERE: Stan Zirkin, News Review; Nicole Williams, Colin Byrd, and others.

Acting Chief Kemp reported that the Police Department began researching the possibility of implementing body worn cameras in 2013. He said a Body Worn Camera Committee was formed and composed of various members of the Department, including officers, supervisors and FOP representatives.

Sgt. White said numerous body worn cameras and evidence management platforms were tested by the Department. Based on the testing, the Committee found the Taser body camera and storage platform to be the most suitable options for the Department. Sgt. White said further testing was done through a month long pilot program using four cameras deployed with front line patrol officers. He said the pilot program confirmed to the Department that the Taser product was the best option to effectively deploy a body worn camera program.

Sgt. White explained that the Department created and implemented its body worn camera policy prior to conducting the pilot program in April 2016. He said the policy was created in compliance with Maryland State Law and the Maryland Police Training Commission guidelines. Sgt. White summarized the important aspects contained within the policy.

Sgt. White said storage of video is the single highest cost and detractor for many departments implementing body worn camera programs. He explained that a large amount of video storage is required (366 day retention period of all body camera video) and the City is unable to provide this large amount of storage in-house. Sgt. White said it is recommended the Department purchase the unlimited storage option available through Taser. He advised that unlimited storage is not currently available through other vendors.

It was noted that police records including body camera video, are subject to public requests for release under the Maryland Public Information Act (MPIA). Sgt. White said during the pilot program, several requests were submitted for the release of video related to a police incident. He said the features of the Taser platform allowed for the Department to quickly comply with the requests and release the video in a timely manner.

Sgt. White said the Department is proposing the purchase of the Taser Officer Safety Plan from Taser International for 48 sworn officers at a total cost of \$312,188.70. He explained the plan is a five (5) year contract for all equipment, storage, maintenance and licensing, and includes

integration with the Department's CAD/RMS system and equipment upgrades at the 2-1/2 and 5 year point of contract. Sgt. White said the contract can be paid entirely up front or on a yearly basis.

The plan also provides every officer (48) with a Taser X26. Sgt. White said the Department has been using the Taser less than lethal weapons for well over 10 years and has had great success in preventing unnecessary injury to officers and citizens. He said during the five year period of the Taser Officer Safety Plan, the Department will need to replace its current inventory of Taser weapons. The plan contract consolidates the purchase of the body camera equipment and the Taser weapons into one contract, resulting in great savings (approximately \$65,000) to the Department.

In response to a question from Mr. Putens, Sgt. White said Taser International has been in business since the 1980's and has a good standing in the law enforcement community.

Ms. Davis asked about equipping additional police officers who may be hired. Sgt. White said new officers would be equipped and the contract would be prorated to reflect the increase.

Ms. Pope asked about the plan warranty. Sgt. White said the plan provides a full warranty that provides for replacement cameras while repairs are made.

Ms. Davis requested a spreadsheet be provided showing the "pros" and "cons" of body camera equipment provided from other vendors evaluated by the Department.

Ms. Davis and Mr. Roberts asked when officers would activate the cameras. Sgt. White said officers must activate the camera during all law enforcement related encounters. Mr. Roberts asked about the ability to remotely control a body worn camera. Sgt. White said remote activation is evolving technology that the Department will be reviewing.

Mr. Herling asked if any testing had been done to determine the health risks associated with body worn cameras. Sgt. White said he would check with Taser.

In response to a question from Ms. Williams, Acting Captain Pracht explained MPIA requests must be answered within specified time limits.

Mayor Jordan asked when the General Orders would be updated to reflect the body camera policies. Acting Chief Kemp and Sgt. White explained the changes are being vetted through the Department's internal system and will be in place at least 30 days prior to implementation of the program.

Mr. Byrd said he supported the use of body cameras but questioned whether the Department had done an adequate job in evaluating body camera equipment offered by other companies.

Mr. Orleans asked and was provided answers to several questions.

Executive Session

Ms. Davis moved that Council move into Executive Session in accordance with Section 3-305(b)(9) of the General Provisions Article of the Annotated Code of the Public General Laws of Maryland to discuss the collective bargaining negotiations. Mr. Herling seconded.

ROLL CALL:

<i>Ms. Davis</i>	<i>-</i>	<i>Yes</i>
<i>Mr. Herling</i>	<i>-</i>	<i>Yes</i>
<i>Ms. Mach</i>	<i>-</i>	<i>Yes</i>
<i>Ms. Pope</i>	<i>-</i>	<i>Yes</i>
<i>Mr. Putens</i>	<i>-</i>	<i>Yes</i>
<i>Mr. Roberts</i>	<i>-</i>	<i>Yes</i>
<i>Mayor Jordan</i>	<i>-</i>	<i>Yes</i>

Council moved into Executive Session at 9:50 p.m.

Respectfully Submitted

*Cindy Murray
City Clerk*

WORK SESSION OF THE GREENBELT CITY COUNCIL/LEGISLATIVE DINNER held Tuesday, December 13, 2016, at Greenbelt Marriott, for the purpose of discussing the City's legislative priorities and other legislative matters.

PRESENT WERE: Councilmembers Judith F. Davis, Konrad E. Herling, Leta M. Mach, Silke I. Pope, Edward V. J. Putens, Rodney M. Roberts and Mayor Emmett V. Jordan.

STAFF PRESENT WERE: Michael McLaughlin, City Manager; David E. Moran, Assistant City Manager; Karen Ruff, Associate of the City Solicitor; and Cindy Murray, City Clerk.

ALSO PRESENT WERE: State Delegates Anne Healey and Tawanna Gaines; County Council Member Todd Turner; and County School Board Member Lupi Grady.

The meeting began at 7:15 p.m.

Mayor Jordan welcomed the legislators. He said the purpose of the gathering was for the City to discuss its legislative priorities for 2017.

The following City priority issues were reviewed.

SUPPORT FBI HEADQUARTERS IN GREENBELT: Support bringing the new FBI Headquarters to Greenbelt.

The legislators expressed their support. It was noted that a decision on the FBI site location is expected in March 2017.

GREENBELT ROAD STREETSCAPE IMPROVEMENTS: Fund the SHA Streetscape Improvement Program on Greenbelt Road (MD 193).

Council Member Turner reported this project is #2 on the County's project planning priority list.

UPDATE ON THE GREENBELT LAKE DAM PROJECT:

Mr. McLaughlin explained that the first phase of this project (Lake Drain Repair) is underway but due to unforeseen site condition, as well as overall market conditions, the cost for the entire project is now estimated at \$1.8 million. He said the City cannot afford a project of this magnitude without substantial funding assistance. Mr. McLaughlin said the City is continuing to work with Maryland Department of the Environment (MDE) and Charles P. Johnson & Associates (CPJ) to redesign the project and identify ways to reduce these escalating costs. He mentioned assistance from the legislators may be needed to advocate on the City's behalf with MDE to either amend the project requirements or provide State funding for the project.

Delegate Gaines said she would like to attend a meeting with the City, MDE and CPJ on the project site to discuss the project.

PROTECT MUNICIPAL FUNDING SOURCES: Implement a legislative strategy that will protect Youth Service Bureau funding.

Mayor Jordan said that the Governor's Office of Children, Youth and Families initially denied funding to certain Youth Service Bureaus (YSB) this year. After a significant advocacy effort by

many, including State legislators, this funding was restored to Greenbelt and most other YSB's.
CHILDREN LIVING IN GREENBELT STATION SHOULD ATTEND GREENBELT SCHOOLS:
Children living in the new community of Greenbelt Station are assigned to Berwyn Heights Elementary, Greenbelt Middle School and Parkdale High School. These students should be attending schools located in Greenbelt.

Mayor Jordan explained that in 2004, the County Council approved CB-33-2004 which included an appropriation for an addition at Duval High School. CB-33 included language stating the County's intent that all high school age children in Greenbelt attend Eleanor Roosevelt High School.

Ms. Mach noted that the City supports its schools by providing grant programs, after-school reading and science clubs, awards programs and other assistance. She said school children living in Greenbelt Station attending schools outside the City do not receive these benefits.

Mayor Jordan advised that Council has met with Kevin Maxwell, CEO for Prince George's County Schools, as well as Johndel Jones-Brown, Director of Pupil Accounting and School Boundaries.

Council stressed the importance of the children in Greenbelt Station being assigned to Greenbelt schools. Ms. Mach said the Pupil Accounting and School Boundaries Office was not aware of the CB 33 agreement and the mistake (assignment of children to non-City schools) needs to be corrected.

After discussion, Council Member Turner suggested the exact number of children in Greenbelt Station attending Berwyn Heights Elementary and Parkdale High School be determined and suggested the City request these children be reassigned "administratively" to Greenbelt schools. He mentioned the tedious process of going through a boundary change matter.

The following Other Items of Interest were discussed:

- *Inadequacy of Elementary School Capacity at Franklin Park*
- *Need to Address Affordable/Workforce Housing & Discrimination Based on Source of Income*
- *Increase School Resource Officer Funding*
- *Maryland Municipal League Priorities*
- *Prince George's Municipal Association Proposed Priorities (subject to membership approval)*
- *Metropolitan Washington Council of Governments Priorities*
- *National League of Cities Priorities*

The meeting ended at 9:30 p.m.

Respectfully submitted,

*Cindy Murray
City Clerk*

WORK SESSION OF THE GREENBELT CITY COUNCIL held Wednesday, December 14, 2016, with Greenway Center.

Mayor Jordan started the meeting at 7:33 p.m. The meeting was held in Room 201 of the Greenbelt Community Center.

PRESENT WERE: Councilmembers Judith F. Davis, Konrad E. Herling, Leta M. Mach, Silke I. Pope, Edward V. J. Putens and Mayor Emmett V. Jordan. Councilmember Rodney M. Roberts was detained at work and arrived at 7:45 p.m.

ALSO PRESENT WERE: Holly Haley, Richard Bunch, Drew Marusak and Greg Hull, Combined Properties; Kathleen Gallagher, Greenbelt News Review; and others.

Mr. Bunch provided an update on Greenway Center. He reported that over the past two years, 98,000 sq. ft. of roofing had been replaced, brick and signage had been cleaned, asphalt and paving had been repaired, nine new trees had been planted along the main entranceway, light poles had been converted to LED lighting and damaged banners had been replaced. Mr. Bunch said that work is continuing on the conversion of canopy lights to LED as well as making the fixtures bird proof.

In response to questions regarding landscaping from Mayor Jordan and Ms. Davis, Ms. Haley said the landscaping had suffered over the past year due to salt damage from the winter storms and the extremely hot summer. Mr. Bunch said a new landscaping company had been employed and more attention will be given to the landscaping areas.

Mayor Jordan complimented Combined Properties for keeping Greenway Center accessible during the 2016 blizzard. Ms. Haley mentioned that the blizzard had a severe impact on their budget.

Mayor Jordan reported a problem with a sinkhole in the side entrance roadway by M & T Bank that seems to continually reappear. Ms. Haley and Mr. Bunch said they will check on the sinkhole.

Mr. Hull discussed the pad site and the challenges to find an appropriate use tenant. He said a food establishment cannot be considered because of the pad's proximity to Safeway. Mr. Hull said development of the pad site will be tenant driven - if an appropriate use tenant expresses interest, then development may occur.

Ms. Pope said she had recently stepped in a hole in the parking lot in front of PetSmart and was unsure who to notify about repairing the hole. Ms. Pope suggested signage be placed in the Center providing information to patrons on where to call to report problems.

Ms. Mach said she was again requesting a kiosk be considered for Greenway Center which let patrons know they were in Greenbelt and provide them with information on the City.

Mayor Jordan mentioned the difficulty for pedestrian access to Greenway Center, especially from the bus stop on Greenbelt Road. Mr. Hull said that he would discuss the situation again with the consultants to determine if there was anything that could be done. He noted that when one area of a shopping center is redesigned, it exposes the entire center to a reexamination of

ADA compliancy which would be very costly. Ms. Davis suggested improvements to pedestrian access be considered as part of the site plans if a new tenant is found for the pad site.

Mr. Herling suggested a performing art area be considered in Greenway Center. Ms. Haley said she would discuss the idea with the marketing director for Combined Properties.

Ms. Davis asked if electric charging stations had been considered for Greenway Center. Ms. Haley they are studying electric charging stations and may possibly go in that direction in the future.

Mayor Jordan mentioned the redevelopment of some older shopping centers into mixed use centers and asked if that may be considered for Greenway Center in the future. Mr. Hull said he would check with development teams from Combined Properties who constantly evaluate existing properties. He noted that redevelopment can't be done until it's strategically feasible – such as when a shopping center reaches its end of life. Mr. Hull said they have tenants in Greenway Center with leases that go into early 2030's.

Ms. Haley and Mr. Bunch noted their appreciation of the support and good working relationships they have with City staff, especially the code enforcement office.

Ms. Haley reported there were currently no vacant spaces in Greenway Center. In response to a question from Mr. Roberts, Mr. Hull said the rent at Greenway Center was above the market average for the area.

Ms. Davis asked whether security cameras had been considered for Greenway Center. Ms. Haley said they constantly evaluate crime statistics and don't see a need for one in Greenway Center.

Council thanked Combined Properties for all they do for the community, including hosting the annual holiday party and providing gifts to the residents of Green Ridge House.

Informational Items

Several informational items were discussed.

The meeting ended at 8:45 p.m.

Respectfully submitted,

*Cindy Murray
City Clerk*

WORK SESSION OF THE GREENBELT CITY COUNCIL held Wednesday, January 4, 2017, with the Principal of Eleanor Roosevelt High School.

Mayor Jordan started the meeting at 8:01 p.m. The meeting was held in Room 201 of the Greenbelt Community Center.

PRESENT WERE: Councilmembers Judith F. Davis, Konrad E. Herling, Leta M. Mach, Silke I. Pope, Edward V. J. Putens, Rodney M. Roberts and Mayor Emmett V. Jordan.

STAFF PRESENT WERE: Michael McLaughlin, City Manager; Thomas Kemp, Acting Police Chief; Mark Sagan, Police Lieutenant; MPO Charles Wooten, School Resource Officer; and Cindy Murray, City Clerk.

OTHERS PRESENT WERE: Reginald McNeill, Principal of Eleanor Roosevelt High School, Bill Orleans, Theodora Scarato, and others.

Mr. McNeill reported that the budget for Eleanor Roosevelt High School (ERHS) is based on student-based budgeting – meaning the total funding received is based on the number of students enrolled. He complimented his staff for working together to meet the needs of the school. Mr. McNeill said the current enrollment at ERHS is 2,540 students and 2,250 is the maximum enrollment. He said they have 22 temporary classrooms and this number had not changed in the past 10 years.

Ms. Davis asked if ERHS had lost any of its specialty programs. Mr. McNeill said the Russian and German programs were lost about 10-12 years ago. He mentioned the many specialty programs currently offered including the Korean, Japanese, Latin, Italian and French programs, as well as a band and numerous sports programs.

Mr. McNeill said the County may install a turf football field at ERHS. He advised that a turf field will provide more flexibility for every sport, improve the looks of the field/school, and offer ERHS the ability to rent the field out to other organizations.

Ms. Davis mentioned the concerns raised in the community regarding artificial playground surfacing. She said ERHS may get some serious resistance from the community regarding a turf field.

Mr. Robert said he believes turf fields require increased maintenance (and costs).

Mayor Jordan mentioned the on-going problems encountered by residents living in areas neighboring ERHS that are related to students skipping classes and then loitering in hallways and open areas and engaging in other unwanted activities during the school day. These issues occur just before school starts and then periodically throughout the school day.

Mr. McNeill and Acting Chief Kemp said they have been working together on addressing this problem. They (jointly) had sent a letter to parents of ERHS students on December 20, 2016, making them aware of the problem. Ms. Davis requested a copy of the letter be forwarded to Greenbriar, Windsor Green and Greenwood Village.

Acting Chief Kemp said MPO Wooten, the School Resource Officer, has been working with patrol units of the Department and there has been an increased police presence (including foot patrols) in the problem areas. He said they had also met with residents of Greenbriar on November 1, 2016, regarding the situation.

Mayor Jordan and Ms. Davis asked if residents experiencing problems should call ERHS. Mr. McNeill said yes but mentioned that there are times he doesn't have a security person in the school able to respond.

Ms. Davis suggested Mr. McNeill or one of the ERHS vice principals meet with the Greenbelt East homeowner's associations. She said it would be good for these groups to hear not only from Police Department representatives, but from ERHS representatives as well. Ms. Davis mentioned many of the residents in these areas do not feel they receive a good response when they make a complaint.

Mayor Jordan commented on students being dropped off for school in the Greenbriar parking lots and noted the inconvenience this causes to residents. Mr. McNeill noted there was also a problem with students being dropped off from cars on Greenbelt Road. He said he would bring the matter up at the next PTSA meeting and also include notice in the school's newsletter.

In response to a question from Ms. Davis, MPO Wooten said he teaches a class in one of the school's temporary classrooms and also holds regular workshops on police/public interactions.

Mr. McNeill reported that Milestone Communications is proposing a cell tower installation in the ERHS parking area near Greenbelt Road. He noted that the School Board had approved allowing cell phone tower installation on school properties with Milestone Communications approximately five years ago.

Mr. McNeill said he believed the next steps for Milestone are to meet with the community and they have scheduled a meeting with the ERHS Parent Teacher Student Association (PTSA). Ms. Davis, Ms. Mach and Ms. Pope said that if Milestone wanted to inform the community, they should advertise the meeting in the News Review, sending out flyers, etc. Mr. McNeill said he was unsure whether the PTSA was the only community meeting Milestone had planned. He said he would check tomorrow and let City staff know.

Mr. Roberts expressed concern regarding health issues associated with cell phone towers.

Mr. Herling said he would discuss the proposal with a representative of the Federal Communications Commission.

Ms. Davis and Ms. Pope suggested staff contact Milestone Communications to obtain a copy of the proposed plans and request a community meeting be scheduled to inform the entire community about the proposal.

Mr. Orleans, Greenbelt, asked and was provided answers on several questions.

Ms. Scarato expressed concern regarding the health risks posed by cell towers. She said parents in the feeder schools for ERHS should be informed about the proposal.

Mr. McNeill thanked Council and staff for its support of ERHS. He said he will work on addressing the concerns discussed this evening.

Informational Items

Several informational items discussed.

Executive Session

Ms. Davis moved that Council move into Executive Session in accordance with Section 3-305(b)(3) of the General Provisions Article of the Annotated Code of the Public General Laws of Maryland to discuss the acquisition of real property. Mr. Herling seconded.

<i>ROLL CALL:</i>	<i>Ms. Davis</i>	<i>-</i>	<i>Yes</i>
	<i>Mr. Herling</i>	<i>-</i>	<i>Yes</i>
	<i>Ms. Mach</i>	<i>-</i>	<i>Yes</i>
	<i>Ms. Pope</i>	<i>-</i>	<i>Yes</i>
	<i>Mr. Putens</i>	<i>-</i>	<i>Yes</i>
	<i>Mr. Roberts</i>	<i>-</i>	<i>Yes</i>
	<i>Mayor Jordan</i>	<i>-</i>	<i>Yes</i>

Council moved into Executive Session at 9:43 p.m.

Respectfully Submitted

*Cindy Murray
City Clerk*

WORK SESSION OF THE GREENBELT CITY COUNCIL held Wednesday, January 18, 2017, with Friends of the Greenbelt Theatre and Pepco.

Mayor Jordan started the meeting at 7:33 p.m. The meeting was held in Room 201 of the Greenbelt Community Center.

PRESENT WERE: Councilmembers Judith F. Davis, Konrad E. Herling, Leta M. Mach, Silke I. Pope, Edward V. J. Putens, Rodney M. Roberts and Mayor Emmett V. Jordan.

STAFF PRESENT WERE: Nicole Ard, City Manager; Michael McLaughlin, Former City Manager; and Cindy Murray, City Clerk.

ALSO PRESENT WERE: Jerry Pasternak and Tami Watkins, Pepco; Gwen Vaccaro and Carol MacAdam, Greenbelt Theatre; Jim Giese, Greenbelt News Review; John Mason and Bill Orleans.

Mayor Jordan explained the purpose of the meeting was to discuss the significant increase in electric bills at the Greenbelt Theatre. He said the City has owned the Greenbelt Theatre since 2002 and contracted with the Friends of the Greenbelt Theatre (FOGT) to operate the theater in early 2015. At the city's request, FOGT transferred the Pepco account from the city's name to FOGT. It was noted that for FOGT's first year of operation, its Pepco bills ranged from \$120 to \$270 per month and this was based on electric usage at a rate code of MGT LV II.

In June of 2016, Pepco notified FOGT that the rate code was being changed to the GS code. The result of this change has caused FOGT's monthly electric bill to increase by five times or more. When FOGT questioned Pepco about the change, no explanation was provided other than the wrong rate code was initially used. Additionally, Pepco is seeking corrected payment for the first twelve months of operation of the theater at the higher (GS) rate code at a cost amounting to approximately \$12,000.

FOGT appealed this change to the Public Service Commission (PSC) but the PSC found that Pepco was within its scope to rebill FOGT.

Mr. Pasternak explained that Pepco bills for electric usage are based on the rate class (grouping by amount of electricity used) and a multiplier (determined by type of equipment required for service). He noted that Pepco rates are determined by the PSC and are designed to recover revenue to cover its cost of running the business and provide an opportunity for a reasonable return on investment.

Mr. Pasternak said Pepco received an application in 2015 from the City for a heavy up service which was recommended as part of the theater renovation project. He said an application for heavy up service indicates that an increase in demand/consumption is anticipated. Therefore, about a year after any heavy up, Pepco conducts a review of the account to determine if the account is in the correct rate class and being charged correctly. He said it's often found that the account has been overbilled or under billed and an adjustment is required. In the case of the theater, Pepco's review found the MGT LV II rate was clearly the wrong category for the theater. The correct category was determined to be GS.

Ms. Mach noted there had never been change in usage type of the theater building since 1937. She asked for a history of electric usage before and after the heavy up.

Ms. Davis, Mr. Herling and Ms. Pope expressed frustration that FOGT had not received any advance notice of the rate change and then they were unable to receive an explanation from Pepco when it occurred. They noted this was very poor customer service.

Mr. Pasternak recognized that Pepco could have done a better job of informing FOGT of the service changes. However, he said that it is now more than a year later and an arrangement must be worked out for payment of the past due amount of \$17,000 owed to Pepco to avoid service disruption. Mr. Pasternak noted that FOGT had not paid its monthly bills while it was appealing to the PSC and this had added to the amount due on the account.

Ms. Watkins said that Pepco requires a 50% payment before they are willing to consider a payment arrangement with any customer in significant arrears. She said in this case, Pepco is willing to waive that payment and will set up a payment plan for the past due amount which will work out to approximately \$400 a month. Ms. Watkins said this would be in addition to the FOGT monthly service bill.

Mr. Putens asked how often customers rate class changes. Mr. Pasternak explained that Pepco has ongoing regular programs to review accounts to determine if the class category is correct.

Ms. Davis asked if there would be any change to the rate code if the City took over the bill for the theater. Mr. Pasternak said no. Mr. Putens said the large range of City facilities owned by the City should affect its bulk rate charges for Pepco service. Mr. Pasternak noted that changing the name of the customer billed (FOGT vs. City) will not change the rate class of service. He noted that the rate class is determined by nature of usage, not by who owns the building or pays the bill.

Mayor Jordan asked if the electric meter for the theater had been checked for accuracy. Mr. Pasternak said he wasn't aware that it has been requested but will arrange for it to be done.

In response to a question from Mr. Roberts, Mr. McLaughlin said there hadn't been a Pepco rate change in any other City building. However, he added there hadn't been any need for heavy up service for any of these buildings.

Mayor Jordan asked whether Pepco had energy efficiency grants available for commercial establishments. Mr. Pasternak said yes and explained the procedure. Mr. Putens requested Pepco take a look at the theater and make recommendations to FOGT on ways to lower electric consumption.

In response to a question from Ms. Davis, Ms. MacAdam said the last monthly bill (usage only) from Pepco in November was for \$683 and added that she expects the next bill will be approximately \$1,000 (usage only). She said FOGT cannot afford to pay this amount for electric service on a monthly basis. Ms. MacAdam added that these bills do not include any back payment amounts. Ms. Vaccaro said any help the City could provide would be deeply appreciated.

Ms. Pope asked staff to determine if any of the other businesses in the Center had experienced an increase in their electric bills similar to the theater.

Council noted the importance of the theater to the City and said further discussion is necessary to determine how the City will deal with the situation.

Ms. Mach asked if Pepco had a foundation to assist those in need with paying their bills. Mr. Pasternak said yes, noting that Pepco provides \$85,000 a year to three partnering organizations (one in Prince George's County, another in Montgomery County and the third in the District of Columbia) to assist Pepco customers in need of assistance.

Mayor Jordan suggested putting the matter on hold for 60 to 90 days. Mr. Pasternak noted Pepco believes the matter has been on hold too long already and was only willing to hold off another 45 days.

Mr. Roberts said if the City assumes the Pepco bill for the theater, it may need to review the operating agreement with FOGT. He also suggested a legal review of the situation.

After further discussion, Council suggested a work session be scheduled with FOGT to review the bills and discuss next steps. It was requested that Pepco provide the past five years billing history.

Mr. Pasternak thanked the City and FOGT for the meeting and the commitment from everyone to move forward on a resolution.

Mr. Orleans asked and was provided answers to several questions.

Informational Items

Ms. Davis reported on the Maryland Municipal League Utility Subcommittee meeting.

The meeting ended at 9:55 p.m.

Respectfully submitted,

*Cindy Murray
City Clerk*

REGULAR MEETING OF THE GREENBELT CITY COUNCIL held Monday, January 23, 2017.

Mayor Jordan called the meeting to order at 8:00 p.m.

ROLL CALL was answered by Councilmembers Judith F. Davis, Konrad E. Herling, Leta M. Mach, Silke I. Pope, Edward V. J. Putens, Rodney M. Roberts and Mayor Emmett V. Jordan.

ALSO PRESENT were Nicole Ard, City Manager; David E. Moran, Assistant City Manager; Karen Ruff, Associate to the City Solicitor; and Cindy Murray, City Clerk.

Mayor Jordan asked for a moment of silence in honor of former Greenbelt residents Joan Lloyd and Colleen Shafer. Mr. Putens then led the pledge of allegiance to the flag.

CONSENT AGENDA: It was moved by Mr. Putens and seconded by Mr. Herling that the consent agenda be approved. The motion passed 7-0.

Council thereby took the following actions:

Minutes:

Regular Meeting, December 12, 2016
Work Session, December 19, 2016
Interview, January 9, 2017
Regular Meeting, January 9, 2017
Work Session, January 11, 2017

Approved as presented.

Committee Reports:

Advisory Committee on Education, Report #2017-2 (Grant Program – 2016 Final Reports): Council accepted this report. No further action was recommended.

APPROVAL OF AGENDA: It was moved by Ms. Davis and seconded by Mr. Putens that the agenda be approved. The motion passed 7-0.

PRESENTATIONS:

Oath of Office – City Manager Nicole Ard: Mayor Jordan administered the oath of office to Greenbelt's new City Manager, Nicole Ard. Council welcomed Ms. Ard to the City.

PETITIONS AND REQUESTS:

Brian Almquist, Greenbelt Advocates for Environmental and Social Justice, presented 500 signatures collected for the petition (submitted 6-6-2016) to oppose the proposed development of a high-rise apartment complex on forested land adjacent to the Lakeside North Apartments by David Hillman, Southern Management Corporation. He requested Council respond to the

petition and notify Mr. Hillman of its opposition to the proposed development. Mayor Jordan said the petition was on Council's agenda for the next meeting.

Bill Orleans, Greenbelt, asked about executive sessions of Council regarding acquisition of real property.

Lore Rosenthal, Greenbelt Climate Action Network (GCAN), thanked Council for including State Legislation PG 422 "Authority to Prohibit the Use of Disposable Bags" on the agenda for discussion this evening. She asked that if Council votes to support the legislation, copies of the letters sent to the State be provided to GCAN as well as the Zero Waste Circle group.

Colin Byrd, Mathew Street, asked about his previous request for Council to adopt a non-discrimination ordinance. Mayor Jordan said the request was under review by staff. Mr. Byrd also suggested plaques (similar to Council plaques in the Council room) be considered to recognize service of all Greenbelt City Managers.

MINUTES:

Minutes – Executive Session of January 3, 2017: Ms. Davis moved that the minutes of the executive session of the City Council held Tuesday, January 3, 2017, at 8:05 p.m., in the Library of the Municipal Building be approved as presented. Council held this closed meeting in accordance with the General Provisions Article, §3-305(b)(1) of the Annotated Code of Public General Laws of Maryland, to consider a personnel matter (contract negotiations for the City Manager position).

Ms. Herling seconded.

ROLL CALL: Ms. Davis	-	yes
Mr. Herling	-	yes
Ms. Mach	-	yes
Ms. Pope	-	yes
Mr. Putens	-	yes
Mr. Roberts	-	yes
Mayor Jordan	-	yes

Minutes – Executive Session #1 of January 4, 2017: Ms. Davis moved that the minutes of the executive session of the City Council held Wednesday, January 4, 2017, at 7:01 p.m. in Room 201 of the Greenbelt Community Center be approved as presented. Council held this closed meeting in accordance with the General Provisions Article, §3-305(b)(9) of the Annotated Code of Public General Laws of Maryland, to discuss collective bargaining negotiations between the City and Fraternal Order of Police Lodge 32.

Ms. Pope seconded.

ROLL CALL: Ms. Davis	-	yes
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Mr. Herling	-	yes
Ms. Mach	-	yes
Ms. Pope	-	yes
Mr. Putens	-	yes
Mr. Roberts	-	yes
Mayor Jordan	-	yes

Minutes – Executive Session #2 of January 4, 2017: Ms. Davis moved that the minutes of the executive session of the City Council held Wednesday, January 4, 2017, at 9:43 p.m. in Room 201 of the Greenbelt Community Center be approved as presented. Council held this closed meeting in accordance with the General Provisions Article, §3-305(b)(3) of the Annotated Code of Public General Laws of Maryland, to consider the acquisition of real property.

Ms. Pope seconded.

ROLL CALL: Ms. Davis	-	yes
Mr. Herling	-	yes
Ms. Mach	-	yes
Ms. Pope	-	yes
Mr. Putens	-	yes
Mr. Roberts	-	yes
Mayor Jordan	-	yes

ADMINISTRATIVE REPORTS: Ms. Ard reported that members of the Greenbelt Police Department had assisted with inaugural events.

Council requested a congratulatory letter be sent to the Mayor and Council of Greenhills, Ohio, on the City receiving designation as a National Historic Landmark from the U.S. Secretary of Interior.

LEGISLATION: None

ADVISORY COMMITTEE ON EDUCATION, REPORT #2017-1 (GRANT PROPOSALS – 2017): Mayor Jordan read the agenda comments.

Jon Gardner, member of the Advisory Committee on Education (ACE), reported that ACE had solicited grant proposals for up to \$500 each from the seven ACE core schools: Greenbelt Elementary, Springhill Lake Elementary, Magnolia Elementary, Dora Kennedy French Immersion School, Turning Point Academy, Greenbelt Middle School and Eleanor Roosevelt High School. He said after a review of the 36 proposals received from six schools totaling \$16,848.24, ACE is recommending 20 grant proposals totaling \$8,638.55 be approved for funding. Mr. Gardner advised the FY 2017 budget includes \$9,500 for the ACE Grants Program.

Ms. Davis moved that Council approve the distribution of the 2017 ACE Grant Awards totaling \$8,638.55 as recommended by ACE in its Report #2017-1. Ms. Pope seconded.

In response to questions from Ms. Davis and Mr. Putens, Mr. Gardner explained the ACE grant writing workshops for the schools.

Council complimented ACE on its work on the Grants Awards Program.

The motion passed 7-0.

REQUEST TO MODIFY SCHOOL BOUNDARIES FOR GREENBELT STATION

NEIGHBORHOOD: Mayor Jordan read the agenda comments.

Ms. Mach said she would attend the Board of Education public hearing on school boundaries the week of February 5, 2017, to advocate (on behalf of Council) for children living in Greenbelt Station to be reassigned from Berwyn Heights Elementary and Parkdale High Schools to Greenbelt schools such as Greenbelt Elementary and Eleanor Roosevelt High Schools.

Mr. Putens suggested a representative from the Greenbelt Advisory Committee on Education attend the public hearing.

After discussion, Council suggested that a letter summarizing all the actions that the City had taken to address the situation be provided to the Board of Education. These actions include the meetings held by Council with Lupi Grady, Greenbelt's School Board representative, Kevin Maxwell, the PGCPs Chief Executive Officer, and Johndel Jones-Brown, Director of PGCPs's Pupil Accounting and Boundaries Office, as well as all the correspondence between the city and school system.

STATE LEGISLATION:

PG 422 – Authority to Prohibit the Use of Disposable Bags: Mayor Jordan read the agenda comments.

Mr. Moran explained this enabling legislation would allow the County to prohibit the use of disposable plastic and paper bags, except for those bags used for certain uses such as bulk items, flowers, newspapers, etc. He noted that the City had supported similar legislation last year.

Ms. Davis moved that Council support PG 422. Mr. Putens seconded.

Mr. Putens and Ms. Pope said that plastic bags had been included in previously supported legislation but question when paper bags had been included. Mr. Moran will check and report back to Council.

The motion passed 7-0.

COUNCIL ACTIVITIES: Councilmembers noted their attendance at the following activities and events:

Maryland Municipal League (MML) Legislative Reception – Mayor Jordan, Ms. Davis, Mr. Herling and Ms. Mach
Prince George's Elected Municipal Women's Meeting – Ms. Davis and Ms. Mach
Dr. Martin Luther King, Jr. Day of Service Event at Buddy Attick Park – Mayor Jordan, Ms. Pope and Mr. Putens
Maryland Electric Vehicle Infrastructure Council Meeting – Mr. Herling
Central Maryland Transportation and Mobility Commission and RTA Partners Meeting – Ms. Davis
MML Legislative Committee Meeting – Ms. Davis
District 22 Martin Luther King, Jr. Day Reception – Mayor Jordan, Ms. Davis and Mr. Herling
MML Utility Subcommittee Conference Call – Ms. Davis
Springhill Lake Elementary; School Literacy Fair - Ms. Davis (as Judge)
Metropolitan Washington Council of Governments (COG) Chesapeake Bay Policy Committee Conference Call – Ms. Davis
Women's March on Washington – Ms. Davis and Ms. Mach
COG Board Meeting – Mayor Jordan
Senator Jim Rosapepe's Winter Brunch at College Park Aviation Museum - Mayor Jordan and Mr. Herling
National League of Cities Inaugural Reception – Mr. Putens and Ms. Pope

COUNCIL REPORTS: None

MEETINGS: Council reviewed the meeting schedule.

ADJOURNMENT: Ms. Mach moved to adjourn the meeting. Mr. Putens seconded. The motion passed 7-0.

Mayor Jordan adjourned the regular meeting of Monday, January 23, 2017, at 9:50 p.m.

Respectfully submitted,

Cindy Murray
City Clerk

"I hereby certify that the above and foregoing is a true and correct report of the regular meeting of the City Council of Greenbelt, Maryland, held January 23, 2017.

Emmett V. Jordan
Mayor

SPECIAL MEETING OF THE GREENBELT CITY COUNCIL held Monday, February 6, 2017.

Mayor Jordan called the meeting to order at 7:02 p.m.

ROLL CALL was answered by Councilmembers Judith F. Davis, Konrad E. Herling, Leta M. Mach, Silke I. Pope, Edward V. J. Putens, Rodney M. Roberts and Mayor Emmett V. Jordan.

STAFF PRESENT WERE: Nicole Ard, City Manager; Karen Ruff, Associate of the City Solicitor; and Cindy Murray, City Clerk.

APPROVAL OF AGENDA: It was moved by Ms. Davis and seconded by Ms. Mach that the agenda be approved. The motion passed 7-0.

Scheduling of Executive Session

Ms. Davis moved that Council schedule an Executive Session on Monday, February 6, 2017, at 7:15 p.m. in the Library of the Municipal Building. Council will hold this closed meeting in accordance with the General Provisions Article 3-305(b)(1) and (8) of the *Annotated Code of the Public General Laws of Maryland* to discuss: 1) a personnel matter (reassignment of staff during the City Manager transition); and 2) pending or potential litigation.

Mr. Herling seconded.

ROLL CALL:	Ms. Davis	-	yes
	Mr. Herling	-	yes
	Ms. Mach	-	yes
	Ms. Pope	-	yes
	Mr. Putens	-	yes
	Mr. Roberts	-	yes
	Mayor Jordan	-	yes

ADJOURNMENT: A motion to adjourn the special meeting was made by Ms. Mach and seconded by Mr. Putens. The motion passed 7-0.

Mayor Jordan adjourned the special meeting of Monday, February 6, 2017, at 7:04 p.m.

Respectfully submitted,

Cindy Murray
City Clerk

"I hereby certify that the above and foregoing is a true and correct report of the special meeting of the City Council of Greenbelt, Maryland, held February 6, 2017."

Emmett V. Jordan
Mayor

**WRITTEN STATEMENT FOR CLOSING A MEETING
OF THE GREENBELT CITY COUNCIL**

Date: 2-6-17 Time: 7:18 pm Location: Library - Municipal Bldg
Motion to close meeting made by: Ms. Davis Seconded by: K Herling

Members voting to close meeting:

	Yes	No	Abstain	Absent
Ms. Davis	<input checked="" type="checkbox"/>			
Mr. Herling	<input checked="" type="checkbox"/>			
Ms. Mach	<input checked="" type="checkbox"/>			
Ms. Pope	<input checked="" type="checkbox"/>			
Mr. Putens	<input checked="" type="checkbox"/>			
Mr. Roberts	<input checked="" type="checkbox"/>			
Mayor Jordan	<input checked="" type="checkbox"/>			

STATUTORY AUTHORITY TO CLOSE SESSION
General Provisions Article, §3-305(b) (check all that apply):

- (1) ☒ To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or any other personnel matter that affects one or more specific individuals;
- (2) ☐ To protect the privacy or reputation of individuals concerning a matter not related to public business;
- (3) ☐ To consider the acquisition of real property for a public purpose and matters directly related thereto;
- (4) ☐ To consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- (5) ☐ To consider the investment of public funds;
- (6) ☐ To consider the marketing of public securities;
- (7) ☐ To consult with counsel to obtain legal advice on a legal matter;
- (8) ☒ To consult with staff, consultants, or other individuals about pending or potential litigation;
- (9) ☐ To conduct collective bargaining negotiations or consider matters that relate to the negotiations;

- (10) [] To discuss public security, if the public body determines that public discussion would constitute a risk to the public or to public security, including:
- (i) the deployment of fire and police services and staff; and
 - (ii) the development and implementation of emergency plans;
- (11) [] To prepare, administer, or grade a scholastic, licensing, or qualifying examination;
- (12) [] To conduct or discuss an investigative proceeding on actual or possible criminal conduct;
- (13) [] To comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter;
- (14) [] Before a contract is awarded or bids are opened, to discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

FOR EACH CITATION CHECKED ABOVE, THE REASONS FOR CLOSING AND TOPICS TO BE DISCUSSED:

§3-305(b) (1) Reassignment of staff during City Manager transition.

§3-305(b) (x) Potential litigation.

§3-305(b) () _____

This statement is made by


Emmett V. Jordan (Signature of Presiding Officer)

**WORKSHEET FOR USE IN CLOSED SESSION (CHECKLIST OF DISCLOSURES TO BE
MADE IN MINUTES OF NEXT REGULAR MEETING-NOT A PART OF THE CLOSING STATEMENT)**

OFFICIALS ATTENDING CLOSED SESSION: [☒] DAVIS; [☒] JORDAN; [☒] HERLING;
[☒] MACH; [☒] POPE; [☒] PUTENS; [☒] ROBERTS

STAFF/OTHERS PRESENT:

Nicole Ard, City Manager
Karen Ruff, Associate of the City Solicitor.

TOPICS DISCUSSED:

1) Reassignment of staff during City Manager transition.
2) Potential litigation.

ACTION(S) TAKEN (IF ANY) AND RECORDED VOTES:

None.

TIME CLOSED SESSION ADJOURNED: _____

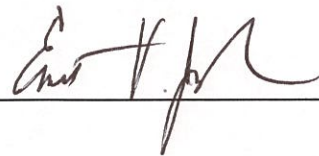
PLACE OF CLOSED SESSION: Library - Municipal Building.

PURPOSE OF CLOSED SESSION: Discuss 1) Reassignment of staff during City Manager transition; and 2) Potential litigation.

STATUTORY AUTHORITY FOR THE CLOSED SESSION: §3-305(b) (1); (8); () _____

MEMBERS WHO VOTED TO CLOSE: [☒] DAVIS; [☒] JORDAN; [☒] HERLING; [☒] MACH;
[☒] POPE; [☒] PUTENS; [☒] ROBERTS

SIGNATURE OF PRESIDING OFFICER: _____



8 am

Greenbelt Arts Advisory Board Report 17-2
Recommendation to the Greenbelt City Council
February 8, 2017

Subject: Recommendations on Greenbelt Recognition Group Basic Certification Applications

At the February 7, 2017 meeting of the Arts Advisory Board, members discussed Greenbelt Pottery Group's application for renewal of their Recognition Group status for FY18. Members also discussed an application for first-time Recognition Group certification by the Greenbelt MakerSpace. Member John Drago was absent from the meeting but submitted his recommendations in writing. The Board's findings are summarized below.

Greenbelt Pottery Group

Represented at the meeting by member Lola Skolnik

The Board members unanimously endorsed the group's request for renewal of their Recognition Group status.

Comments: "A long-standing Greenbelt arts group and a community asset"; "valuable educational component"; "positive charitable contribution via 'Empty Bowls'"; "well organized. Good outreach – generous, sharing."

Concerns: None

Greenbelt MakerSpace

Represented at the meeting by member Eva Fallon

The Board members unanimously endorsed the group's request for first-time Recognition Group certification.

Comments: "Provides low-cost or free programs to the community"; activities include "youth craft programs" and "fine arts classes for the community"; "STEAM focus [science, technology, engineering, arts and math] is a major plus"; "brings valuable foot traffic"; "a worthy addition to the recognition group circle"

Concerns: None

Authorization

This report is submitted on behalf of the Arts Advisory Board by:

Tatiana Ausema
Tatiana Ausema, Chair

2/8/17
Date

Introduced:
1st Reading: February 13, 2017
Passed:
Posted:
Effective:

RESOLUTION NUMBER XXX

A RESOLUTION TO NEGOTIATE THE PURCHASE OF ANNUAL LAWN MOWING AND LANDSCAPE SERVICES FROM LORENZ, INC. OF BALTIMORE, MARYLAND AT A COST NOT TO EXCEED \$47,984

WHEREAS, the City issued a Request for Proposals for annual lawn mowing and landscaping services; and

WHEREAS, three proposals were received and evaluated by City staff; and

WHEREAS, the proposal submitted by Lorenz, Inc. best meets the City's needs and will provide lawn mowing and landscaping services for the lowest cost. NOW, THEREFORE,

BE IT RESOLVED by the Council of the City of Greenbelt, Maryland, that the City Manager be authorized to contract with Lorenz, Inc. of Baltimore, Maryland, for annual lawn mowing and landscape services at a cost not to exceed \$47,984.

PASSED by the Council of the City of Greenbelt, Maryland, at its regular meeting of February 27, 2017.

Emmett V. Jordan, Mayor

ATTEST:

Cindy Murray, City Clerk

CITY OF GREENBELT, MARYLAND

TO: Nicole Ard
City Manager

FROM: Richard Fink II
Superintendent of Parks & Grounds

VIA: Jim Sterling
Director of Public Works

DATE: February 8, 2017

SUBJ: Award of Request For Proposal – Lawn Mowing and Landscape Services

Background

On January 5th, 2017, City staff opened the Request for Proposals (RFP) for this project. Three proposals were received ranging from \$47,984 to \$169,400. The RFP document was advertised in the newspaper as well as on E-Maryland Marketplace and the City of Greenbelt website.

In the RFP document, staff specified lawn mowing and landscaping services for various areas around the City. The RFP includes labor and material to maintain the areas in the RFP for which natural landscaping based standards and specifications are referenced. The proposal clarifies the scope of work for each task that the contractor is required to perform, thus eliminating some of the performance issues that have existed in the past.

The RFP mandated attendance at the pre-proposal meeting. All three contractors who submitted proposals were at the pre-proposal meeting. The pre-proposal meeting provided an opportunity to review site conditions, examine the scope of work and to answer questions. I have attached a copy of the RFP dated January 5, 2017, the proposal submission forms, and the sign in sheet for the pre-proposal meeting.

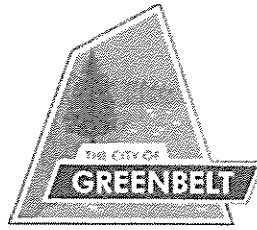
Analysis of Proposals

Public Works staff carefully reviewed the three proposals: Lorenz, Inc. (\$47,984), Cypress Services (\$98,000), and R.H. Hilario's Landscaping LLC (\$169,400). References for Lorenz, Inc. were contacted and checked out fine. The references described Lorenz, Inc. as a productive and dependable contractor, capable of doing the work described in the RFP. The company was invited for an interview with Public Works staff on February 8, 2017. Benjamin Hall, Director of Operations for Lorenz, Inc. answered questions from staff and provided convincing answers about his company's ability to do the job.

Staff Recommendation

Staff recommends that Council award the RFP for the lawn mowing and landscaping services to Lorenz, Inc. for the following reasons:

- Lorenz, Inc. interviewed well and was willing to share all their working documents.
- Lorenz, Inc. is willing to meet the preferred “green” requirements of the RFP including hand and mechanical removal of weeds.
- Lorenz, Inc. is currently working for other notable municipalities and government organizations including Harford County Parks, the City of Baltimore, and Howard County Department of Recreation and Parks.
- Lorenz, Inc. is an experienced company that specializes in commercial work.
- Lorenz, Inc. is the lowest proposal.



REQUEST FOR PROPOSALS (RFP)

Lawn Mowing and Landscaping Services For Various Locations January 5, 2017

Proposal Deadline: Friday, February 3, 2017, 10:00am

Overview

The City of Greenbelt, Maryland, is seeking proposals for a Contractor who has demonstrated abilities to perform the attached Scope of Work. The contractor must currently be in the business of providing lawn and landscaping maintenance services of this type and must have been doing so for a minimum of at least five (5) consecutive years. All applicable federal, state, and local laws, ordinances and regulations must be adhered to.

Contractors submitting a proposal should review the procurement requirements listed. Specifically, the selected Contractor will be required to:

- Execute a contract with the City of Greenbelt;
- Attend a pre-proposal meeting where City staff will review regulations and requirements;
- Complete certain forms and certifications;
- Maintain General Liability Insurance (\$1,000,000 minimum); Workers Compensation Insurance (\$500,000), business automobile liability (\$1,000,000) and furnish proof of such insurance.

No Contractor who is the recipient of City of Greenbelt funds, or who proposes to perform any work or furnish any goods under this agreement shall discriminate against any worker, employee, applicant, or any member of the public because of race, color, sex, gender, sexual orientation, religion, age, marital status, national origin, veterans status, physical or mental disability or perceived disability, or other criteria protected by law.

Discriminatory practices based on the foregoing are declared to be contrary to the public policy of the City. The City of Greenbelt complies with all Equal Employment Opportunity requirements.

The City of Greenbelt does not discriminate in the admission of, or employment in, its programs, activities or services. Minority and women owned businesses, as well as Contractors located in Greenbelt or Prince George's County, are encouraged to submit proposals.

Proposal Submittal

Proposal responses shall be submitted on the Proposal Submission Form (page 11). All costs are to be final.

Proposal must include a minimum of three professional references. These references should be attached to the Proposal Submission Form and include current contact information including name, address, telephone number and email address.

Please direct any questions regarding proposal submission to the Contract Manager listed on Page 10.

Completed proposals must be received no later than February 3, 2017, 10:00am and delivered to: City of Greenbelt, Finance Office, 25 Crescent Road, Greenbelt, MD 20770, clearly marked "Lawn Mowing and Landscaping Services".

NOTE: Proposals received after this deadline may be refused and deemed ineligible for consideration at the City's sole discretion.

Selection of Contractor

The City of Greenbelt (City) will review all proposals submitted and if deemed to be in the best interest of the City, a Contractor will be chosen. The City shall be free to accept any proposal it deems appropriate in its sole discretion. The City will determine final scope and project components, based on funding availability.

The Contractor selected will be required to submit a Certificate of Insurance naming the City of Greenbelt as an additional insured, which will be reviewed by the City Manager's Office.

A contract will then be negotiated between the Contractor and the City, with each agreeing to the terms of the contract and affixing authorized signatures. The contractor will be required to complete all forms and certifications required by the City, State and Federal governments.

Proposal Requirements and Examination of Work to be Performed

The Contractor is required to thoroughly examine the RFP requirements and the work contemplated, and it will be assumed that the Contractor has investigated and is satisfied as to the requirements. It is mutually agreed that submission of a request for proposal shall be considered prima facie evidence that the contractor has made such examination.

Before submitting the RFP, the Contractor shall examine the scope of work and visit the site of the work to become familiar with the working conditions and the exact nature and extent of the work taking into account any special or unusual features peculiar to this project. By submitting a proposal, the Contractor, if selected for award, shall be deemed to have accepted the terms of this RFP.

There will be a mandatory pre-proposal meeting on January 20, 2017 at 10:00 am at the Public Works Maintenance Facility, 555 Crescent Road, Greenbelt, MD 20770 to discuss the Request For Proposal, including viewing existing conditions, examination of scope of work and to answer questions. Proposals received from Contractors who do not attend this meeting will not be considered.

Section 1

GENERAL INFORMATION

This RFP contains instructions governing the content of the proposals and the format in which they are to be submitted. It does not attempt to define all of the contract needs nor detail them. Rather, it is flexible and allows for the credentials of the Contractor to be demonstrated in the areas of expertise necessary to the contract. There are mandatory requirements to be met, but should the Contractor foresee the need for qualification of the effort or additional requirements, concise and relevant discussion is encouraged. Questions from contractors shall be accepted by the Contract Manager via email or phone. Emails shall be submitted to rfink@greenbeltmd.gov or by phone 240-542-2151.

Living Wage Requirement

The City has a Living Wage Policy. Any contractor to the City with a contract valued at \$50,000 or more must comply with the City's policy and pay all its employees a Living Wage or better. All City contractors are encouraged to pay a living wage. The Living Wage is set July 1 of each year based on the State of Maryland, Living Wage which is set by the State's Division of Labor and Industry.

Section 2

SCOPE OF SERVICES BACKGROUND AND PURPOSE

This scope of work pertains to the requirements of maintaining grass and landscaped areas at various locations in the City. As part of the response to this RFP, bidders if awarded, will be required to fill out a weekly check sheet showing what tasks were completed. The overall responsibility of the Contractor is to coordinate, plan, manage, and perform activities described in this RFP to maintain an acceptable appearance in those areas included in the RFP.

The Contractor shall furnish all labor and materials necessary to perform the mowing and landscaping maintenance tasks in the RFP. Contractor shall complete all the tasks listed below and will comply with all the requirements and specifications.

It shall be the Contractor's responsibility to verify the areas, sizes and quantities of the surfaces and items to be maintained in this RFP. Failure of the Contractor to verify the listed amounts shall not relieve the Contractor of the responsibility to provide all services required to the standards included herein, for the prices submitted in Contractors proposal.

2.1 HOURS WHEN WORK IS TO BE PERFORMED

All work is to be performed Monday through Friday from 7 am to 6 pm and Saturday 8 am to 5 pm. No work shall be done on Sunday without written permission from the City.

2.2 SCHEDULING OF WORK - BEGINNING OF CONTRACT TERM

- A. At least five (5) business days prior to the commencement of the contract, the Contractor shall submit in writing to the Contract Manager or his/her designee, the name of the On-site

Supervisor authorized to act for the Contractor in every detail for the lawn mowing and landscape services.

- B. At least five (5) business days prior to the commencement of the contract, the Contract Manager, or his appointee, will confer with the Contractor and review the total specification requirements, total workload and the lawn mowing and landscaping services proposed by the Contractor.

2.3 SPECIFICATIONS

The lawn and landscaped areas must be maintained and serviced at the frequency and to the standards as detailed in these specifications. The Contract Manager or his/her designee shall determine whether the tasks have been performed, and that the performance is in accordance with the standards set forth in these specifications. Failure to perform a task or to perform a task to the specified standard will result in reductions in the Contractor's monthly invoice.

Landscape Maintenance Standards and Specifications

Overview: The City believes that using Natural Landscaping techniques to maintain City property will create a landscape that is healthy, resource-efficient, sustainable, and cost-effective to manage. When Natural Landscaping techniques are applied in landscape design, construction, and long-term maintenance, there are many benefits, including easier maintenance, lower costs, and higher property values.

It is the City's expectation that the Contractor's proposal will comply with these Natural Landscaping-based standards and specifications. It should be the Contractor's expectation that the City will only consider awarding the contract to a Contractor whose bid shows compliance. The Contractor should also expect to be held to these standards throughout the course of the contract.

The following standard outlines the scope of services and responsibilities required of the Contractor, but may not be inclusive of the entire scope of services. The specifications outline the quantity and category of work required. Other parts of the contract (**not included here**) provide requirements such as insurance and licensing standards, hours of work, work authorizations, etc.

A. GENERAL STANDARDS

1. GUARANTEE AND REPLACEMENT

- a. Contractor shall replace, at no additional cost to City, any turf, plant materials or any other City property damaged as a result of improper maintenance attention or procedures. Replacement material shall be of the same size and variety as the dead or damaged material. Property damage must be done within two weeks of identification of damage. Alternatives to size, variety and scheduling of replacement must have written permission of the City.
- b. Contractor is not responsible for losses, repair or replacement of damaged work or plant material resulting from theft, extreme weather conditions, vandalism, vehicular incidents (other than Contractor's vehicles) or the acts of others over whom they have no reasonable control.
- c. Contractor shall inform the City on a monthly basis of plant losses unrelated to the maintenance activities, provide the City with a probable cause of the plant loss, and provide recommendations for replacement along with pricing for replacement.

2. CONTRACTOR RESPONSIBILITIES

- a. Contractor will provide staff able to perform work at the highest standards of horticultural excellence. Key staff shall have current knowledge of best management practices (BMP's) regarding: safety, hazardous materials spill response, lawn care,

plant health, pruning, and integrated pest management. The City reserves the right to demand the replacement of Contractor's staff who do not meet the City's standards for safety, professionalism, or horticultural knowledge.

- b. Preference will be given to firms certified by green programs such as Green America <http://www.greenamerica.org/greenbusiness/>.
- c. Provide an emergency contact list identifying the names, positions held, and phone numbers of key maintenance personnel. Provide mobile numbers for the landscape maintenance manager and site supervisor.
- d. Attend meetings and site inspections of the grounds as requested.
- e. Contractor shall maintain a computerized log of activities performed and provide a written copy monthly.
- f. Establish a schedule/chart for regular maintenance activities by area and submit to the Department of Public Works for review. Contractor to review proposed schedules with Public Works at the regularly scheduled meetings and adjust as necessary to avoid conflicts. There are several events that go on each year that require the property be in compliance with the specifications of the RFP at the time of the event (Earth Day and Fall Fest are two examples).

B. SCOPE OF WORK

1. GENERAL PRACTICE GUIDELINES FOR MATERIALS AND EXECUTION

- a. This document is intended as a benchmark of the City's minimum standards for maintenance, repair and improvements. However, the City respects the Contractor as a professional and as such, will take under consideration, any and all recommendations made by the Contractor.
- b. Contractor shall furnish all labor, equipment, and materials necessary to complete the maintenance of turf and plantings, as specified herein. It is the intent of the City that the sites identified in the RFP be maintained in a resource-efficient, sustainable, and cost-effective manner.
- c. Maintenance shall consist of spring removal of old mulch, pruning, mowing, Integrated Pest Management (IPM), weed/insect/disease control, litter control and any other procedures consistent with good horticultural practice necessary to ensure normal, vigorous, and healthy growth of turf and landscape plantings.
- d. All turf shall be mowed with professional quality mulch-mowing equipment. Prior to award of contract, Contractor shall provide to the City the make and model of the mower(s) that will be used.
- e. Contractor is encouraged to use non-polluting devices like rakes and brooms when feasible. The City prefers that blowers and other power equipment are low-decibel, low-fossil fuel consumption, and low-emissions models.
- f. Contractor is encouraged to develop cultural practices which incorporate on-site recycling of organic materials, such as leaves and grass clippings, and the use of recycled materials in its maintenance operations.
- g. Contractor shall visually inspect all landscape areas monthly from April through September to identify potential pest problems. Pest problems include insect, disease, and weed infestations. The presence of a pest does not necessarily mean there is a problem. Contractor shall keep written records of pests identified and areas where problems may be developing.
- h. Cooperatively identify any area where non-chemical IPM control methods should begin.
- i. Control of Weeds: Use cultural methods (mulch, proper pruning) to encourage plant health and growth and discourage weeds. Keep planter beds and tree wells free of weeds and debris on a rotational basis, weekly throughout the year by hand pulling or other mechanical means. Entire site shall be weeded by hand or mechanical weeding methods

that remove the roots every week. Ground covers are to be trimmed so they meet but do not grow over walkways or outside any of the planters.

2. NOXIOUS WEED CONTROL

- a. Noxious Weed list can be found on **The Maryland Invasive Species Council** web site <http://www.mdinvasivesp.org/>.
- b. Noxious weeds must be bagged and disposed of at the landfill.
- c. Non-designated and weeds of concern shall be controlled with ongoing IPM and healthy landscape management techniques.

C. MATERIALS AND EXECUTION – TURF MAINTENANCE

1. TURF MOWING

- a. All turf will be mowed with professional quality mulching mower equipment. Pricing assumes that bagging and removing clippings will be required only when excessive leaf debris is present, turf is too long to mulch, or when moisture conditions are too high to allow effective mulching without substantial clumping of turf debris.
- b. Prior to each mowing, remove all litter and debris from lawn areas. Formal turf areas shall be mowed per the schedule below and maintained at a height of no less than 2-1/2 inches and no more than 3 inches. Coordinate mowing schedules with City.
- c. Alternate mowing direction where feasible every mowing. Maintain a uniform lawn height free from scalping.
- d. The City and the Contractor will evaluate and determine any areas that require bagging and removal of clippings on a regular year-around basis.
- e. Contractor is responsible for any damage incurred as a result of mower damage to trees and shrubs and must repair or replace any such damage at no cost to the City. Properly maintained tree wells are encouraged to minimize such damage.
- f. Clippings will be swept or blown from hardscapes after each mowing. Sweeping is encouraged when feasible.

2. TURF MOWING SCHEDULE

Month	Number of cuts
April	Weekly
May	Weekly
June	Weekly
July	Every 10 days
August	Every 10 days
September	Every 10 days
October	Two mowings
November	Two mowings

NOTE: Base Contract price includes 26 mowings per the mowing schedule. Schedule of mowings may be altered per the City's request or as required by climatic conditions.

3. TURF EDGING AND TRIMMING

- a. Mechanically trim all landscape turf edges once a month. Edges include all formal lawn perimeters and tree wells in lawn areas. In April, June, and August, redefine all formal lawn edges with a mechanical blade-type edger or hand spade. Clean debris from hardscapes and non-turf landscape areas. Remove larger debris.
- b. Trim all formal lawn areas that cannot be reached by a mower after each mowing. Areas to be trimmed include any lawn adjacent to poles, signs, bollards, trees, walls and all other obstacles. Perform trimming to the same height as mowing. Clean debris from hardscapes and non-turf landscape areas, remove larger debris.
- c. Contractor shall trim around all guardrails every other mowing.

- d. Contractor is responsible for any damage incurred as a result of trimmer or edger damage to trees and shrubs and must repair or replace any such damage at no cost to the City. Properly maintained tree wells are encouraged to minimize such damage.

D. MATERIALS AND EXECUTION - GENERAL AREA MAINTENANCE

1. LEAF AND BRANCH REMOVAL

- a. Keep walks, patios, planting beds, roadway gutters and lawn areas free of leaves on a weekly basis throughout the year.
- b. In autumn, leaf removal shall occur at each visit as needed to prevent smothering of turf and groundcovers and excessive clumping when mulch mowing. The City's preference is that whenever safety and plant health are not compromised that leaves remain on-site and are incorporated into mulch under plantings. Remove leaves from site only as needed to maintain a neat appearance and the health of the plantings.

2. LANDSCAPE DEBRIS REMOVAL

- a. Remove biodegradable landscape debris (turf clippings (limited to only those times when mulch mowing is not possible), leaves, branches, dead plant material, etc.) to yard refuse recycling sites. Acceptable sites include topsoil producing facilities and/or other facilities, which utilize yard waste for landscape purposes. No biodegradable material should be disposed of as garbage, except noxious weed debris.

3. LANDSCAPE TRASH REMOVAL

- a. Remove all trash from landscaping beds and turf areas. Contractor shall haul it away for appropriate disposal.
- b. All recycling will be separated and disposed to a recycling center at Buddy Attick Park or on Hanover Drive in Greenbelt.

4. MULCH REPLACEMENT

- a. Early Spring, Contractor shall remove old mulch and replenish mulch to maintain a depth of two to three inches in all planting areas and tree wells. Established beds where plant foliage or groundcover completely covers the soil surface require no additional mulch. Keep mulch at least two to three inches (2 – 3") away from the crown of plants and trees.
- b. After leaf removal in Fall, a light mulching is to be done in all landscaping to maintain the 2 ½" depth in all planting areas.
- c. Mulch shall be brown shredded hardwood.
- d. "Red" bark mulch or dust shall not be used.

2.4 PROPERTIES AND LOCATIONS OF WORK TO BE PERFORMED UNDER RFP

A. Properties and locations included in base bid:

LOCATIONS	LAWN CARE	LANDSCAPE MAINTENANCE
1. Mandan Road	From Greenbelt Road to Mathew Street (south side of Greenbelt Road) all medians. Starting at property line of 8209 Canning Terrace right of way (school board property side of street only) including dead end area and hillside to the right at dead end.	All landscaping in medians and tree beds. Includes dead end area.

2. Ora Glen Drive	From Hanover Parkway to Mandan Rd all medians. The right of way west of Morrison Drive on the South side of Ora Glen Drive from the traffic circle to Mathew Street. Right of way starting at Bank Of America (next to pond) south on Hanover Parkway to Hanover Office Park.	Landscaping in circles, medians and choker islands.
3. Hanover Parkway	All medians from Greenbelt Road to Good Luck Rd.	All landscaping in medians and tree beds from Greenbelt Road to Good Luck Road.
4. Hanover Parkway	From Good Luck Road to Green Crescent Court and Brae Brooke Drive right of way directly across the street from Spring Manor Drive (15 ft. from the back edge of the asphalt path).	All landscaping in medians, from Greenbelt Road south on Hanover Parkway to Good Luck Road.
5. Greenbelt Road	Right of way from Mandan Road west bound to the Board of Education Property to the end of guard rail (north side).	
6. Hanover Drive and Dog Park	In and around the Dog Park. Right of way from Hanover Parkway to the dead end of Hanover Drive (Just Dog Park side of roadway).	All tree beds.
7. Schrom Hills Park 6915 Hanover Parkway	All of Schrom Hills Park including fence lines (both sides). Schrom Hills Park right of way frontage. Ball fields are excluded.	All landscaping, tree beds and circles. Excluding the Three Sisters Garden.
8. Greenspring Park on Greenbury Drive	All areas.	All landscaping and tree beds.
9. Green Crescent Court	Right of way, between 6801 and 6807, 6815 and 6820.	At the bottom of the retaining wall.
10. Springhill Lake Recreation Center (6101 Cherrywood Lane)	All areas, from wood line to Cherrywood Lane.	All landscaping, all tree beds. Except the Three Sister Gardens and the Food Forest.
11. Cherrywood Lane	From the end of the Federal Court House property to Breezewood Drive right of way only on the Federal Court and Metro side.	All landscaping in medians, circles and chokers, from Metro Center Drive to Greenbelt Road.
12. Breezewood Drive	Right of way starting at end of Board of Education property to Edmonston Road around corner to the old school entrance (School side only).	All landscaping in medians, and choker beds on the Beltway Plaza side from Cherrywood Lane to Edmonston Road.

LOCATIONS	LAWN CARE	LANDSCAPE MAINTANCE
13. Walker Drive	All median islands and turf along Walker Drive and in front of the Cadillac Dealership.	All landscape beds along Walker Drive and in front of the Cadillac Dealership.

2.5 CONTRACTOR'S EMPLOYEES

- A. Personnel employed by the Contractor shall be capable employees qualified in this type of work. A fully qualified work force shall be maintained throughout the period of this contract. All personnel shall receive close and continuing first-line supervision.
- B. The Contractor's supervisors shall be fully and adequately trained and have a minimum of five (5) years experience in lawn and landscaping supervision sufficient in scope to meet the approval of the Contract Manager.
- C. The Contractor shall employ the quantity and quality of supervision necessary for both effective and efficient management of lawn and landscaping operations at all times.
- D. Contractor shall be liable for any damages caused directly or indirectly by its employees.

2.6 REDUCTIONS IN PAY

- A. Reductions for below standard work will be made if, after the second documented notification, the Contractor has not corrected the deficiency and City worker(s) are assigned to perform the task(s) or was not completed at all by the contractor.
- B. Reductions for non-performance will be made if the task(s) was not done and City worker(s) have to be assigned immediately to perform the task(s).
- C. Reductions for A. and B. above will be based on the hourly billing rate of the City employee(s) plus benefits assigned to perform the task(s) times the hour(s) required for City worker(s) to perform the task(s). If the work was not performed by the contractor and was just omitted, a deduction based on percentage of the overall monthly bill minus the work not completed will be calculated and the bill adjusted accordingly.

2.7 PAYMENT TO CONTRACTOR

- A. At the end of each month, the Contractor shall render to the Contract Manager their invoice for the services provided during the preceding month. The invoice shall not exceed 1/8th of the annual base amount of the contract.
- B. The Contract Manager, or his designee, shall review the invoice and any necessary reductions which must be made in accordance with the conditions of the Contract. Should the Contractor's invoice not include all necessary reductions, the invoice shall be reduced by the amount of the non-included reductions and processed for payment. The Contractor shall be notified of the reductions made and supplied with copies of documentation supporting those reductions.

2.8 CHANGES TO THE SCOPE OF WORK AND TERMINATION OF CONTRACT

- A. The Contract Manager, at any time may have to change the scope of the contract by written contract modification. On the designated effective date, the Contractor shall make the required changes in his/her operation.
- B. Upon receiving notice of the change, the Contractor's monthly invoice shall be adjusted if necessary to reflect the value of the change in the services under this contract.

- C. The City may cancel the contract at any time for any reason upon giving 30 day written notice to the Contractor.
- D. The City shall have the right to cancel this Agreement immediately without prior notice for any breach of any provision of the contract if not cured within seven (7) days from written notice from the City.

2.9 INSPECTIONS AND APPROVAL OF WORK

- A. The City will demand strict conformance to the standards and frequency specified. The Contract Manager or his/her designee will inspect all completed work and will ascertain that the tasks have been satisfactorily accomplished.
- B. The Contract Manager or his/her designee will enforce the standards of this contract.

2.10 ON-SITE SUPERVISION AND TRAINING

- A. The successful Contractor shall provide an On-site Supervisor who speaks and writes fluent English and will represent the Contractor concerning this contract. This On-site Supervisor will make routine communications with the appropriate Contract Manager or his/her designee to receive instructions or other input regarding lawn mowing and landscaping services needs and activities.
- B. The On-site Supervisor is responsible for directing the Contractor's work force and accountable for all activities and behavior of all personnel assigned by the Contractor to perform work under this contract.
- C. The Contractor shall be responsible for training and safety precautions for Contractor employees performing work under these specifications.

2.11 CONTACT INFORMATION

Contract Manager

Richard Fink II
Superintendent of Parks & Grounds
Office: 240-542-2151
555 Crescent Road, Greenbelt, MD 20770
rfink@greenbeltmd.gov

Horticultural Supervisor

Brian Townsend
555 Crescent Road, Greenbelt, MD 20770
Cell: 240-417-2352

Parks Supervisor

Joe Doss
555 Crescent Road, Greenbelt, MD 20770
Cell: 240-417-2349

SECTION 3
PROPOSAL SUBMISSION FORM
City of Greenbelt Lawn Mowing and Landscaping Services
For Various Locations

1. COMPANY NAME _____
2. ADDRESS (Home Office) _____
3. TELEPHONE NUMBER (office) _____ (cell) _____
4. NUMBER OF FULL-TIME EMPLOYEES _____
5. OWNERSHIP
_____ Sole Proprietor _____ Other – Please Specify
_____ Limited Partnership

PROPOSAL PRICES. Fixed prices for all requirements identified in Section 2 Scope of Services. Pricing submitted in this portion must be fully inclusive of all anticipated costs of the RFP and shall include all costs for management, supervision, labor and material associated with the RFP. The base bid includes the locations identified in Section 2.4 A and Add Alternate #1. The Add Alternative will be evaluated separately from the base price.

Pricing to comply with Section 2 Scope of Services of this RFP for locations identified in Section 2.4 A. This is the base bid for the lawn mowing and landscaping services:

				Annual Cost
_____	X	8 Months	=	\$ _____
Monthly Cost				

Signature of Authorized Representative

Name/Title of Authorized Representative

Date

SECTION 3
PROPOSAL SUBMISSION FORM
City of Greenbelt Lawn Mowing and Landscaping Services
For Various Locations

1. COMPANY NAME Lorenz, Inc.
2. ADDRESS (Home Office) 512 Roland Avenue Baltimore, MD 21208
3. TELEPHONE NUMBER (office) 410-486-0425 (cell) 443-250-7827
4. NUMBER OF FULL-TIME EMPLOYEES 47
5. OWNERSHIP
- ☐ Sole Proprietor ☒ Other – Please Specify
- ☐ Limited Partnership ☒ Corporation

PROPOSAL PRICES. Fixed prices for all requirements identified in Section 2 Scope of Services. Pricing submitted in this portion must be fully inclusive of all anticipated costs of the RFP and shall include all costs for management, supervision, labor and material associated with the RFP. The base bid includes the locations identified in Section 2.4 A and Add Alternate #1. The Add Alternative will be evaluated separately from the base price.

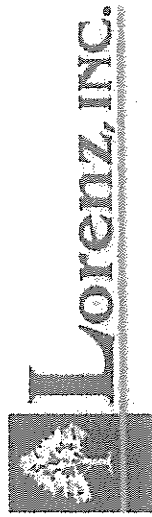
Pricing to comply with Section 2 Scope of Services of this RFP for locations identified in Section 2.4 A. This is the base bid for the lawn mowing and landscaping services:

<u>\$ 5,998.00</u>	X	8 Months	=	Annual Cost
Monthly Cost				<u>\$ 47,984.00</u>


Signature of Authorized Representative

Joe Lorenz, President
Name/Title of Authorized Representative

January 30, 2017
Date



JOB	DESCRIPTION	SERVICE DATES	REFERENCE NAME	TITLE	ADDRESS	CONTACT INFORMATION
UMBC	Full Grounds Maintenance & Tree Planting	2005 TO PRESENT	Mr. Charlie Hogan	UMBC Grounds Superintendent	Department of Facilities Management University of Maryland, Baltimore County Hilltop Circle Baltimore, MD 21250	Hogan@umbc.edu
						443-630-0742
Harford County Parks	Mowing and Maintaining Rec & Parks	2011 TO 2014	Wesley Martin	Grounds Maintenance Supervisor Dept. of Rec and Parks	Harford County Recreation Parks 702 North Tollgate Road Bel Air, MD 21014	wpmartin@harfordcountymd.gov
						410-638-3535
City of Baltimore	Mowing Parks & Recreation & Street Tree Planting	2003 TO PRESENT	Mr. Roelkey Myers	Chief of Parks Maintenance Baltimore City Department of Recreation and Parks	Baltimore City Department of Recreation & Parks 2600 Madison Avenue Baltimore MD 21217	roelkey.myers@baltimorecity.gov
						410-396-7931
Howard County Dept of Recreation and Parks	Mowing and Maintaining Rec & Parks	2011 TO PRESENT	Mr. Chris Tolson	Grounds Maintenance Supervisor Dept. of Rec and Parks	Howard County Dept of Rec & Parks 7120 Oakland Mills Road Columbia, MD 21046	ctolson@howardcountymd.gov
						410-313-4732



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/9/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER HMS Insurance Associates, Inc. 20 Wight Ave Suite 300 Hunt Valley MD 21030	CONTACT NAME: Jennifer Turek PHONE (A/C No. Ext): 410-785-1611 FAX (A/C No.): 443-632-3486 E-MAIL: Jturek@hmsia.com ADDRESS:
INSURED Lorenz, Inc. 512 Roland Avenue Baltimore MD 21208	INSURER(S) AFFORDING COVERAGE INSURER A: Pennsylvania National Mutual Casual 14990 INSURER B: Chesapeake Employers Insurance 11039 INSURER C: Zurich American Insurance 16535 INSURER D: Columbia Casualty Company 31127 INSURER E: INSURER F:

COVERAGES

CERTIFICATE NUMBER: 553730048

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC OTHER:		CL90705301	1/10/2017	1/10/2018	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$250,000 MED EXP (Any one person) \$10,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMP/OP AGG \$2,000,000 \$
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS		AU90705301	1/10/2017	1/10/2018	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$10,000		UL90705301	1/10/2017	1/10/2018	EACH OCCURRENCE \$10,000,000 AGGREGATE \$10,000,000 \$
B C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input checked="" type="checkbox"/> N N/A	4461959 WC673305502	1/10/2017 1/10/2017	1/10/2018 1/10/2018	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER MD/VA/DC E.L. EACH ACCIDENT \$500,000 E.L. DISEASE - EA EMPLOYEE \$500,000 E.L. DISEASE - POLICY LIMIT \$500,000
A D	Installation Floater Professional/Pollution		CL90705301 C 6023951588	1/10/2017 1/10/2017	1/10/2018 1/10/2018	Limit Per Location 100,000 Per Disaster 100,000 Prof/Poli Each Claim \$5,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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LANDSCAPING EQUIPMENT

Machine Number	Serial Number	Equipment	Disposition	Hours
1	314626581	72" EXMARK MOWER "X" SERIES	OWNED	2468
2	314624606	72" EXMARK MOWER "S" SERIES	OWNED	1743
3	316626654	72" EXMARK MOWER "X" SERIES	OWNED	57
4	314616713	72" EXMARK MOWER "S" SERIES	OWNED	1816
5	314624605	72" EXMARK MOWER "S" SERIES	OWNED	2783
6	316626796	72" EXMARK MOWER "X" SERIES	OWNED	418
7	314624588	72" EXMARK MOWER "X" SERIES	OWNED	2236
8	315616804	72" EXMARK MOWER "X" SERIES	OWNED	1806
9	316626741	72" EXMARK MOWER "X" SERIES	OWNED	223
10	316626741	72" EXMARK MOWER "X" SERIES	OWNED	896
11	M0900185	SCAG 72" MOWER	OWNED	128
12	315616805	72" EXMARK MOWER "X" SERIES	OWNED	1796
13	316626742	72" EXMARK MOWER "X" SERIES	OWNED	405
14	314634585	72" EXMARK MOWER "X" SERIES	OWNED	2625
15	316626770	72" EXMARK MOWER "X" SERIES	OWNED	727
16	K2700372	SCAG 72" MOWER	OWNED	430
17	314616702	72" EXMARK MOWER "S" SERIES	OWNED	1825
18	314624602	72" EXMARK MOWER "S" SERIES	OWNED	1468
19	314624603	72" EXMARK MOWER "S" SERIES	OWNED	2439
20	314616717	72" EXMARK MOWER "S" SERIES	OWNED	1551
21	K2700371	SCAG 72" MOWER	OWNED	1141
22	314624587	72" EXMARK MOWER "S" SERIES	OWNED	1731
23	314616711	72" EXMARK MOWER "X" SERIES	OWNED	1432
24	316621299	72" EXMARK MOWER "X" SERIES	OWNED	490
25	314624620	72" EXMARK MOWER "S" SERIES	OWNED	1134
26	315624232	72" EXMARK MOWER "X" SERIES	OWNED	2142
27	315616816	72" EXMARK MOWER "X" SERIES	OWNED	1960
28	314634566	72" EXMARK MOWER "X" SERIES	OWNED	2871
29	313635135	72" EXMARK MOWER "X" SERIES	OWNED	3288
30	314624599	72" EXMARK MOWER "S" SERIES	OWNED	2261
31	M0900033	SCAG 72" MOWER	OWNED	335
32	K2700375	SCAG 72" MOWER	OWNED	1315
1	314622776	60" EXMARK MOWER TT	OWNED	1152
2	314641232	60" EXMARK MOWER TT	OWNED	1507
3	316604322	60" EXMARK MOWER TT	OWNED	241
4	314622631	52" EXMARK MOWER TT	OWNED	1427
5	315637343	60" EXMARK MOWER TT	OWNED	611
6	315637266	52" EXMARK MOWER TT	OWNED	991
7	315637337	60" EXMARK MOWER TT	OWNED	1006
8	315606289	52" EXMARK MOWER TT	OWNED	1129
9	316632137	52" EXMARK MOWER TT	OWNED	326
10	314622633	52" EXMARK MOWER TT	OWNED	1407
11	315637261	52" EXMARK MOWER TT	OWNED	949
12	313635687	60" EXMARK MOWER VANTAGE	OWNED	949
13	313635691	60" EXMARK MOWER VANTAGE	OWNED	1180
14	890611	60" EXMARK MOWER TT	OWNED	1999
1	2003	TORO BATWING 16 FT MOWER	OWNED	4863
2	2005	TORO BATWING 16 FT MOWER	OWNED	3652
3	2006	TORO BATWING 16 FT MOWER	OWNED	3249

STATE OF MARYLAND
Department of Assessments and Taxation

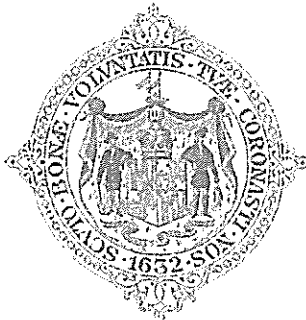
I, HEIDI DUDDERAR OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF THE STATE OF MARYLAND, DO HEREBY CERTIFY THAT THE DEPARTMENT, BY LAWS OF THE STATE, IS THE CUSTODIAN OF THE RECORDS OF THIS STATE RELATING TO THE FORFEITURE OR SUSPENSION OF CORPORATIONS, OR THE RIGHTS OF CORPORATIONS TO TRANSACT BUSINESS IN THIS STATE, AND THAT I AM THE PROPER OFFICER TO EXECUTE THIS CERTIFICATE.

I FURTHER CERTIFY THAT LORENZ LAWN & LANDSCAPE INC., INCORPORATED NOVEMBER 12, 2002, IS A CORPORATION DULY INCORPORATED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF MARYLAND AND THE CORPORATION HAS FILED ALL ANNUAL REPORTS REQUIRED, HAS NO OUTSTANDING LATE FILING PENALTIES ON THOSE REPORTS, AND HAS A RESIDENT AGENT. THEREFORE, THE CORPORATION IS AT THE TIME OF THIS CERTIFICATE IN GOOD STANDING WITH THIS DEPARTMENT AND DULY AUTHORIZED TO EXERCISE ALL THE POWERS RECITED IN ITS CHARTER OR CERTIFICATE OF INCORPORATION, AND TO TRANSACT BUSINESS IN MARYLAND.

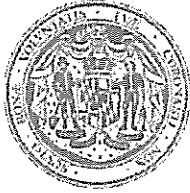
IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY SIGNATURE AND AFFIXED THE SEAL OF THE STATE DEPARTMENT OF ASSESSMENTS AND TAXATION OF MARYLAND AT BALTIMORE ON THIS APRIL 25, 2016.



Heidi Dudderar
Associate Director



301 West Preston Street, Baltimore, Maryland 21201
Telephone Balto. Metro (410) 767-1340 / Outside Balto. Metro (888) 246-5941
MRS (Maryland Relay Service) (800) 735-2258 TT/Voice



MARYLAND DEPARTMENT OF AGRICULTURE
PESTICIDE REGULATION SECTION
THE WAYNE A. CAWLEY, JR. BUILDING
50 HARRY S. TRUMAN PARKWAY
ANNAPOLIS, MARYLAND 21401-7080
(410) 841-5710

9920071

PESTICIDE BUSINESS LICENSE NO. 28661

LORENZ INC
8711 LIBERTY ROAD
RANDALLSTOWN, MD 21133

EXPIRES 06/30/2017
POST IN A CONSPICUOUS PLACE

APPLICATION CATEGORIES: 3A, 3C, 6

This license is granted to this business for the application of pesticides, in the category(ies) shown above, within the State of Maryland, in accordance with the provisions of the Agricultural Article, Sections 5-201 through 5-211, Annotated Code of Maryland.

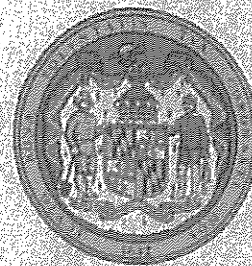
A listing of the Pest Control Categories as appears in the Regulations Pertaining To The Pesticide Applicators Law, Code of Maryland Regulations (COMAR) 15.05.01 is provided on the reverse side of this certificate (license or permit).

A handwritten signature in cursive script, reading "Joseph Bartenfelder".

Joseph Bartenfelder
Secretary of Agriculture



STATE OF MARYLAND
DEPARTMENT OF NATURAL RESOURCES
FOREST SERVICE



Certificate of Registration
as a
Licensed Tree Expert

This is to certify that

Joseph T. Lorenz, Jr.

LORENZ, INC.

512 Roland Avenue

Baltimore, MD 21208

having met the requirements in the Maryland Code is hereby licensed and qualified to practice
as a tree expert and to engage in the business of the treatment and care of trees in the state of
Maryland.

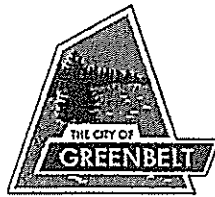
License 001031

Issued this Fourteenth day of January 2016

This license expires December 31, 2017 and is renewable yearly thereafter upon payment of
the proper fee, or revoked by the Department for non-compliance with the terms of the Tree
Expert Law.

Donald Van Housen

Director / State Forester



**Lawn Mowing and Landscaping Services
Pre-Proposal Meeting
1/20/2017**

<u>NAME:</u>	<u>COMPANY:</u>	<u>EMAIL:</u>	<u>PHONE:</u>
1. Bill Moss	Amey	bill@earthwatertrees.com	301-233-257
2. Billy	Amey		
3. Phillip Barrett Jr.	Barrett's Lawn Svc.	barrettslawnservice@gmail.com	(240) 501-5901
4. Jacob Pappaloni	Cypress Services LLC	Cypress Services LLC@gmail.com	301-542-766
5. Michael Drucis	BrightView	mike.drucis@brightview.com	301-252-8
6. BENJAMIN HALL	LORENZ INC.	bhall@lorenzinc.net	410-486-04
7. PAUL HORTON	CBI	phorton@community-brope.com	202-355-995
8. Leon White	Super Wash	superwashllc@gmail.com	240-907-41
9. Kausha Wells	Brightview	Kausha.Wells@brightview.com	301 671 76
10. Elliott Carter	Estebans Landscaping	info@fortreesandgardens.com	(240) 603 9164
11. Amy Huaringa	RH Hilario's Landscaping	lawnservice.rh@hotmail.com	301-300.217
12.			
13.			
14.			

Valerie Lorenz
2-2-17

HOUSE BILL 36

R5

HB 839/16 – ENV

(PRE-FILED)

7lr0641

CF 7lr1101

By: **Delegates Lam, Gaines, Krimm, K. Young, Hill, Lafferty, Turner, Fraser-Hidalgo, Tarlau, Ebersole, Robinson, Luedtke, and Ciliberti**

Requested: September 15, 2016

Introduced and read first time: January 11, 2017

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Plug-In Electric Drive Vehicles – Reserved Parking Spaces**

3 FOR the purpose of prohibiting a person from stopping, standing, or parking a vehicle that
4 is not a plug-in electric drive vehicle in a parking space that is designated in a
5 certain manner for the use of plug-in electric drive vehicles; establishing certain
6 standards for signage designating reserved parking for certain plug-in electric drive
7 vehicles; requiring that a parking space that is for the use of plug-in electric drive
8 vehicles have certain pavement markings; authorizing a parking facility to have a
9 vehicle that is stopped, standing, or parked in violation of this Act towed or removed
10 under certain circumstances and subject to certain standards and requirements;
11 requiring that a parking space that is for the use of plug-in electric drive vehicles be
12 counted in a certain way for complying with certain laws intended to meet certain
13 requirements under the Americans with Disabilities Act; defining a certain term;
14 establishing a civil penalty for a violation of this Act; and generally relating to
15 reserved parking spaces for plug-in electric drive vehicles.

16 BY repealing and reenacting, without amendments,
17 Article – Transportation
18 Section 11–145.1
19 Annotated Code of Maryland
20 (2012 Replacement Volume and 2016 Supplement)

21 BY adding to
22 Article – Transportation
23 Section 21–1003.2
24 Annotated Code of Maryland
25 (2012 Replacement Volume and 2016 Supplement)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Transportation

11–145.1.

(a) “Plug-in electric drive vehicle” means a motor vehicle that:

(1) Is made by a manufacturer;

(2) Is manufactured primarily for use on public streets, roads, and highways;

(3) Is rated at not more than 8,500 pounds unloaded gross vehicle weight;

(4) Has a maximum speed capability of at least 55 miles per hour; and

(5) Is propelled to a significant extent by an electric motor that draws electricity from a battery that:

(i) Has a capacity of not less than 4 kilowatt-hours for 4-wheeled motor vehicles and not less than 2.5 kilowatt-hours for 2-wheeled or 3-wheeled motor vehicles; and

(ii) Is capable of being recharged from an external source of electricity.

(b) “Plug-in electric drive vehicle” includes a qualifying vehicle that has been modified from original manufacturer specifications.

21–1003.2.

(A) IN THIS SECTION, “PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE” MEANS A PARKING SPACE THAT PROVIDES ACCESS TO CHARGING EQUIPMENT THAT TRANSFERS ELECTRICAL ENERGY TO A PLUG-IN ELECTRIC DRIVE VEHICLE.

(B) UNLESS THE VEHICLE IS A PLUG-IN ELECTRIC DRIVE VEHICLE, A PERSON MAY NOT STOP, STAND, OR PARK A VEHICLE IN A DESIGNATED PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE.

(C) A SIGN DESIGNATING A PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE SHALL:

(1) BE AT LEAST 18 INCHES HIGH AND 12 INCHES WIDE;

1 (2) BE CLEARLY VISIBLE TO THE DRIVER OF A MOTOR VEHICLE
2 ENTERING THE PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE;

3 (3) STATE THE MAXIMUM FINE THAT MAY BE INCURRED FOR A
4 VIOLATION; AND

5 (4) MEET ANY APPLICABLE STATE AND FEDERAL REQUIREMENTS
6 FOR PARKING SIGNS.

7 (D) A PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE SHALL BE
8 INDICATED BY GREEN PAVEMENT MARKINGS.

9 (E) (1) A PRIVATELY OWNED PARKING FACILITY MAY HAVE A VEHICLE
10 THAT IS STOPPED, STANDING, OR PARKED IN VIOLATION OF THIS SECTION TOWED
11 OR REMOVED IN ACCORDANCE WITH SUBTITLE 10A OF THIS TITLE.

12 (2) (I) A PARKING FACILITY OWNED BY A LOCAL JURISDICTION
13 MAY HAVE A VEHICLE THAT IS STOPPED, STANDING, OR PARKED IN VIOLATION OF
14 THIS SECTION TICKETED, TOWED, OR REMOVED IF AUTHORIZED BY LOCAL LAW.

15 (II) A LOCAL LAW AUTHORIZING THE TOWING OR REMOVAL OF
16 A VEHICLE AS DESCRIBED IN SUBPARAGRAPH (I) OF THIS PARAGRAPH SHALL BE
17 EQUIVALENT TO OR EXCEED THE STANDARDS AND REQUIREMENTS ESTABLISHED
18 UNDER SUBTITLE 10A OF THIS TITLE.

19 (F) A PLUG-IN ELECTRIC DRIVE VEHICLE CHARGING SPACE SHALL BE
20 COUNTED AS PART OF THE OVERALL NUMBER OF PARKING SPACES IN A PARKING
21 LOT FOR THE PURPOSE OF COMPLYING WITH ANY ZONING OR PARKING LAWS
22 INTENDED TO MEET REQUIREMENTS FOR COMMERCIAL AND INDUSTRIAL USES
23 UNDER THE AMERICANS WITH DISABILITIES ACT.

24 (G) A PERSON WHO VIOLATES THIS SECTION IS SUBJECT TO A CIVIL
25 PENALTY OF \$100.

26 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
27 October 1, 2017.

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 36 (Delegate Lam, *et al.*)
Environment and Transportation

Vehicle Laws - Plug-In Electric Drive Vehicles - Reserved Parking Spaces

This bill prohibits stopping, standing, or parking a vehicle in a space that provides access to a plug-in electric drive vehicle charging station, unless that vehicle is a plug-in electric drive vehicle. The bill establishes requirements for signage and pavement markings for such vehicle charging spaces. The bill also establishes that a person who violates the bill's provisions is subject to a civil penalty of \$100.

The bill authorizes a parking facility that is privately owned or owned by a local government to have a vehicle towed or removed if it is in violation of the bill's restriction. Local governments may also ticket vehicles in violation of the bill. Any local law authorizing towing from a facility owned by a local government must meet or exceed the standards set forth in the State trespass towing laws.

Fiscal Summary

State Effect: General fund revenues increase minimally beginning in FY 2018 from the application of new and existing penalties to the bill's prohibition. Expenditures (all funds) increase minimally for various State agencies to procure signs and mark spaces compliant with the bill in FY 2018; thereafter, any such costs associated with new charging spaces can likely be absorbed.

Local Effect: Local government revenues increase minimally beginning in FY 2018 from the application of existing penalties to the bill's prohibition. Local government expenditures may increase minimally to procure signs and mark spaces compliant with the bill. Otherwise, enforcement can be handled with existing resources.

Small Business Effect: Minimal.

Analysis

Bill Summary: The bill defines “plug-in electric drive vehicle charging space” as a parking space that provides access to charging equipment that transfers electrical energy to a plug-in electric drive vehicle.

The bill requires a sign designating a parking space for such vehicles to be at least 18 inches high and 12 inches wide, be clearly visible to the driver entering the space, and state the maximum fine that may be incurred for a violation. The sign must also meet any applicable State and federal requirements for parking signs. A plug-in electric drive vehicle charging space must be indicated by green pavement markings.

The bill also establishes that a plug-in electric drive vehicle charging space must be counted as part of the overall number of parking spaces in a parking lot for the purpose of complying with any zoning or parking laws intended to meet requirements for commercial and industrial uses under the Americans with Disabilities Act.

Current Law/Background: According to the U.S. Department of Energy, as of January 2017, Maryland has 1,085 public electric vehicle charging outlets, which ranks ninth in the United States in terms of the number of chargers per state.

Sales of Plug-in Vehicles

Plug-in vehicles, which include hybrid-electric vehicles (*e.g.*, the Chevrolet Volt) and vehicles without gasoline-powered motors (*e.g.*, the Nissan Leaf and Tesla Model S), have experienced a recent resurgence in popularity that has led to commercialization of more than two dozen vehicle models from major manufacturers. Although plug-in electric vehicles represent a small percentage of total vehicle sales, the rate of growth in sales for these vehicles has generally been significant.

The Maryland Clean Cars Act of 2007 requires Maryland to adopt a Zero Emissions Vehicle program applicable to vehicles beginning in model year 2011. State regulations require manufacturers to comply with California Zero Emission Vehicle Requirements, which generally rely on the use of a system of credits to ensure that a sufficient number of low- and zero-emissions vehicles are sold.

According to data from the Motor Vehicle Administration and the Maryland Electric Vehicle Infrastructure Council (EVIC), only 1 plug-in electric vehicle was registered in Maryland in fiscal 2010, 72 plug-in electric vehicles were registered in fiscal 2011, and 2,597 plug-in electric vehicles were registered in fiscal 2012. Although the number of newly registered plug-in electric vehicles dropped sharply in fiscal 2013 (with 2,727 total registered electric vehicles), a sharp increase occurred once again in fiscal 2014 and the

first half of fiscal 2015. According to EVIC data, as of December 1, 2014, there were 5,544 plug-in electric vehicles registered in Maryland. A second slowdown in registrations occurred in the following months, and as of October 31, 2015, there were 5,932 plug-in electric vehicles registered in the State. For context, this is only about 0.01% of the total registered vehicles in the State and about 9.9% of the EVIC goal of 60,000 registered electric vehicles in Maryland by 2020. The 2016 EVIC report has not yet been released.

Implementation of Maryland Electric Vehicle Infrastructure Council Recommendations

Chapters 400 and 401 of 2011 established EVIC and required it to develop a plan to expand the adoption of electric vehicles and develop an infrastructure charging network. In its final report issued in December 2012, the council issued several recommendations, including (1) extending EVIC through June 2015; (2) increasing the amount of zero emission State fleet vehicle purchases to 10% by 2020 and at least 25% by 2025; (3) establishing a grant program for electric vehicle support equipment installation and procurement of transaction management software for multiunit dwellings; and (4) extending the recharging equipment tax credit through December 2016 and the qualified electric vehicle excise tax credit to July 1, 2016.

To implement EVIC's recommendations, Chapters 64 and 65 of 2013 extended EVIC through June 2015. Further, Chapters 359 and 360 of 2014 extended the termination date of the tax credit program through fiscal 2017, altered the value of the tax credits, and replaced the electric vehicle recharging equipment income tax credit with a rebate program. Chapter 378 of 2015 subsequently extended EVIC to June 30, 2020, and shifted the reporting deadline to December 1 of each year, with a final report due June 30, 2020.

The January 1, 2015 EVIC interim report contained two recommendations for future legislation: (1) establishing high occupancy vehicle lane reciprocity with Virginia; and (2) prohibiting homeowners associations, condominium associations, and landlords from prohibiting or unreasonably restricting the installation of charging equipment by residents in such developments. Neither recommendation has been implemented to date.

Stopping, Standing, and Parking of Vehicles

The Maryland Vehicle Law governs the stopping, standing, and parking of vehicles, with various restrictions applicable under certain circumstances or within certain jurisdictions. A local authority, in the reasonable exercise of its police power, may also regulate or prohibit the stopping, standing, or parking of vehicles on highways within its jurisdiction. Generally, a violation of the Maryland Vehicle Law is a misdemeanor that carries a fine of up to \$500. The amount of the prepaid fine for a violation of most provisions regulating stopping, standing, or parking is generally \$50, \$60, or \$70, depending on the specific violation.

Additional Information

Prior Introductions: As amended, HB 839 of 2016 passed the House and received a hearing in the Senate Judicial Proceedings Committee, but no further action was taken. HB 1020 of 2014, a similar bill, received an unfavorable report from the House Environmental Matters Committee.

Cross File: SB 302 (Senator Feldman, *et al.*) – Judicial Proceedings.

Information Source(s): Baltimore, Carroll, Harford, Montgomery, and Queen Anne's counties; Maryland Association of Counties; City of Laurel; Maryland Municipal League; University System of Maryland; Department of General Services; Department of Natural Resources; Department of State Police; Maryland Department of Transportation; U.S. Department of Energy; Department of Legislative Services

Fiscal Note History: First Reader - January 24, 2017
mm/ljm

Analysis by: Eric Pierce

Direct Inquiries to:
(410) 946-5510
(301) 970-5510

SENATE BILL 142

R5

7lr1775
CF 7lr0839

By: **Senator Zirkin**

Introduced and read first time: January 16, 2017

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Task Force to Study Bicycle Safety on Maryland Highways**

3 FOR the purpose of establishing the Task Force to Study Bicycle Safety on Maryland
4 Highways; providing for the composition, chair, and staffing of the Task Force;
5 prohibiting a member of the Task Force from receiving certain compensation, but
6 authorizing the reimbursement of certain expenses; requiring the Task Force to
7 study and make recommendations on certain issues related to bicycle safety on
8 highways in the State; requiring the Task Force to report its findings and
9 recommendations to the Governor and the General Assembly on or before a certain
10 date; providing for the termination of this Act; and generally relating to the Task
11 Force to Study Bicycle Safety on Maryland Highways.

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That:

14 (a) There is a Task Force to Study Bicycle Safety on Maryland Highways.

15 (b) The Task Force consists of the following members:

16 (1) two members of the Senate of Maryland, appointed by the President of
17 the Senate;

18 (2) two members of the House of Delegates, appointed by the Speaker of
19 the House;

20 (3) the Motor Vehicle Administrator, or the Administrator's designee;

21 (4) the State Highway Administrator, or the Administrator's designee;

22 (5) the Secretary of State Police, or the Secretary's designee; and

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(6) the following members, appointed by the Governor:

(i) four bicycle advocates who are State residents, at least two of whom represent urban or suburban areas of the State;

(ii) a representative of the motor vehicle insurance industry;

(iii) a representative of AAA Mid-Atlantic;

(iv) a representative of the Maryland Association of Counties;

(v) a representative of the Maryland Municipal League;

(vi) a representative of the Maryland Chiefs of Police Association;
and

(vii) a representative of the Maryland Motor Truck Association.

(c) The Governor shall designate the chair of the Task Force.

(d) The Maryland Department of Transportation shall provide staff for the Task Force.

(e) A member of the Task Force:

(1) may not receive compensation as a member of the Task Force; but

(2) is entitled to reimbursement for expenses under the Standard State Travel Regulations, as provided in the State budget.

(f) The Task Force shall study and make recommendations it considers necessary regarding:

(1) safety issues related to bicycle operators on highways in the State;

(2) the appropriate operation of bicycles on highways in the State;

(3) the appropriate operation of motor vehicles in relation to bicycles on highways in the State;

(4) the adequacy of the current and future capacity and use of bike lanes, bike paths, and protected cycle tracks in the State;

(5) past, current, and future implementation of Complete Streets strategies related to facilitating safe travel for all bicyclists regardless of age, ability, or mode of travel;

1 (6) issues related to traffic control devices governing the operation of and
2 behavior towards bicycles on highways in the State;

3 (7) public education and outreach related to the operation of bicycles on
4 highways in the State; and

5 (8) potential funding sources to support and encourage the safe operation
6 of bicycles in the State.

7 (g) On or before December 31, 2017, the Task Force shall report its findings and
8 recommendations to the Governor and, in accordance with § 2-1246 of the State
9 Government Article, the General Assembly.

10 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
11 1, 2017. It shall remain effective for a period of 1 year and, at the end of May 31, 2018, with
12 no further action required by the General Assembly, this Act shall be abrogated and of no
13 further force and effect.

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 142

(Senator Zirkin)

Judicial Proceedings

Task Force to Study Bicycle Safety on Maryland Highways

This bill establishes a Task Force to Study Bicycle Safety on Maryland Highways. The task force must study safety issues related to bicycle operators and vehicles on highways in the State. The Maryland Department of Transportation (MDOT) must provide staff for the task force. The task force must report its findings and recommendations to the Governor and General Assembly by December 31, 2017.

The bill takes effect on June 1, 2017, and terminates May 31, 2018.

Fiscal Summary

State Effect: As much of the research appears to be available from the Maryland Bicycle and Pedestrian Advisory Committee (MBPAC), MDOT can staff the task force with existing budgeted resources. Any expense reimbursements for task force members are assumed to be minimal and absorbable within existing budgeted resources. Revenues are not affected.

Local Effect: The bill does not directly affect governmental operations or finances.

Small Business Effect: None.

Analysis

Bill Summary: The task force must study and make recommendations on the following bicycle safety issues:

- appropriate operation of bicycles and motor vehicles on highways;

- adequacy of the current and future capacity and use of bike lanes, bike paths, and protected cycle tracks;
- implementation of Complete Streets strategies related to facilitating safe travel for bicyclists;
- the role of traffic control devices in bicycle safety;
- bicycle safety public education and outreach; and
- potential funding sources to support and encourage the safe operation of bicycles in the State.

Current Law: Generally, Maryland's traffic laws apply to bicycles and motor scooters. A cyclist or person on a motor scooter may not ride on any roadway where the posted maximum speed limit is more than 50 miles an hour. Where there is not a bike lane paved to a smooth surface, a person operating a bicycle or a motor scooter may use the roadway or the shoulder. Where there is a bike lane paved to a smooth surface, a person operating a bicycle or a motor scooter must use the bike lane and may not ride on the roadway, except (1) when overtaking and passing another bicycle, motor scooter, pedestrian, or other vehicle within the bike lane if the overtaking and passing cannot be done safely within the bike lane; (2) when preparing for a left turn at an intersection or into an alley, private road, or driveway; (3) when reasonably necessary to leave the bike lane to avoid debris or other hazardous condition; or (4) when reasonably necessary to leave the bike lane because the bike lane is overlaid with a right turn lane, merge lane, or other marking that breaks the continuity of the bike lane.

Maryland Bicycle and Pedestrian Advisory Committee: MBPAC was established by Chapter 670 of 2000 (it had been previously formed in December 1991 as the Bicycle Advisory Committee by Chapter 624 of 1991). The 22-member committee advises State government agencies on issues directly related to bicycling and pedestrian activity including funding, public awareness, safety, and education. Members include State officials and private citizens and are appointed by the Governor.

Background: The National Highway Traffic Safety Administration reports that, in 2015, the latest year for which data is available, 818 cyclists were fatally injured on the nation's roads. This is the highest number of fatalities since 1995 and represents a 12.2% increase, compared to the 729 pedalcyclist fatalities reported nationally for 2014.

Complete Streets Initiative: In 2011 the State Highway Administration adopted a "Complete Streets" initiative aimed at ensuring safety and connectivity for vehicles, bicycles, and pedestrians throughout the State transportation system. The initiative requires all transportation projects to evaluate options for improved bicycle access, including (1) constructing bike lanes on resurfaced roads wherever possible; (2) maintaining minimum shoulder widths of four feet; and (3) retaining existing bicycle accommodations on roads.

State Expenditures: According to MDOT, MBPAC, on which an official from MDOT serves, performs most of the functions required in the bill. The committee advises State government agencies on bicycle and pedestrian safety, including Complete Streets initiatives, public awareness, and education. MDOT advises that a consultant is required to conduct research for the task force at an estimated cost of \$75,000 and that the staffing requirements of the bill also have a significant operational impact. Since it appears that much of the expertise, research, and source material is already available from the work of MBPAC over the course of its nearly 26-year history, the Department of Legislative Services disagrees. The bill's requirements can be handled with existing resources of MDOT.

Additional Information

Prior Introductions: None.

Cross File: HB 192 (Delegate Lafferty) – Environment and Transportation.

Information Source(s): Maryland Department of Transportation; National Highway Traffic Safety Administration; Department of Legislative Services

Fiscal Note History: First Reader - January 23, 2017
fn/kdm

Analysis by: Michelle Davis

Direct Inquiries to:
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HOUSE BILL 172

D5, N1
HB 759/16 – ENV

7lr1614
CF 7lr2331

By: **Delegates Lafferty and McIntosh**

Introduced and read first time: January 19, 2017

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Home Act of 2017**

3 FOR the purpose of expanding the housing policy of the State to include providing for fair
4 housing to all citizens regardless of source of income; prohibiting a person from
5 refusing to sell or rent a dwelling to any person because of source of income;
6 establishing certain qualifications and limitations on the general prohibition against
7 discrimination in housing based on source of income; prohibiting a person from
8 discriminating against any person in the terms, conditions, or privileges of the sale
9 or rental of a dwelling because of source of income; prohibiting a person from making,
10 printing, or publishing certain types of materials with respect to the sale or rental of
11 a dwelling that indicate a preference, limitation, or discrimination on the basis of
12 source of income; prohibiting a person from falsely representing that a dwelling is
13 not available for inspection, sale, or rental based on source of income; prohibiting a
14 person from inducing or attempting to induce, for profit, a person to sell or rent a
15 dwelling by making certain representations relating to the entry or prospective entry
16 into the neighborhood of a person having a particular source of income; prohibiting
17 a person whose business includes engaging in residential real estate transactions
18 from discriminating against any person in making available a transaction, or in the
19 terms or conditions of a transaction, because of source of income; prohibiting a person
20 from denying a person, based on source of income, access to or membership or
21 participation in a service, an organization, or a facility relating to the business of
22 selling or renting dwellings or from discriminating against a person in the terms or
23 conditions of membership or participation; prohibiting a person from, by force or
24 threat of force, willfully injuring, intimidating, or interfering with any person
25 because of source of income and because the person is negotiating for the sale or
26 rental of any dwelling or participating in any service relating to the business of
27 selling or renting dwellings; defining a certain term; providing that this Act does not
28 limit the rights or remedies that are otherwise available to a landlord or tenant
29 under any other law; and generally relating to prohibitions against discrimination
30 in housing based on source of income.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



BY repealing and reenacting, with amendments,
Article – State Government
Section 20–701, 20–702, 20–704, 20–705, 20–707, and 20–1103
Annotated Code of Maryland
(2014 Replacement Volume and 2016 Supplement)

Preamble

WHEREAS, The General Assembly recognizes that equality, fairness, and opportunity for Maryland residents often require government action and that security, mobility, and economic opportunity are enhanced by the location of a person's home; and

WHEREAS, Discrimination in housing based on a person's source of income primarily affects persons that the General Assembly has already determined to need legal protection from discrimination such as families with children, people of color, and people with disabilities; and

WHEREAS, Twelve states, including California, Connecticut, Maine, Massachusetts, Minnesota, New Jersey, North Dakota, Oklahoma, Oregon, Utah, Vermont, and Wisconsin, the District of Columbia, and more than 50 localities across the country have laws prohibiting discrimination based on a person's source of income; and

WHEREAS, This Act will not prevent private landlords from considering relevant, nondiscriminatory factors in screening rental applicants, including an applicant's ability to comply with lease terms and prior tenancy history; and

WHEREAS, This Act seeks to deconcentrate poverty by providing additional opportunities for tenants utilizing public subsidies to live in neighborhoods other than the neighborhoods in which those individuals are currently and disproportionately residing; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – State Government

20–701.

(a) In this subtitle the following words have the meanings indicated.

(b) (1) “Disability” means:

(i) a physical or mental impairment that substantially limits one or more of an individual's major life activities;

(ii) a record of having a physical or mental impairment that substantially limits one or more of an individual's major life activities; or

(iii) being regarded as having a physical or mental impairment that substantially limits one or more of an individual's major life activities.

(2) "Disability" does not include the current illegal use of or addiction to:

(i) a controlled dangerous substance, as defined in § 5-101 of the Criminal Law Article; or

(ii) a controlled substance, as defined in 21 U.S.C. § 802.

(c) "Discriminatory housing practice" means an act that is prohibited under § 20-705, § 20-706, § 20-707, or § 20-708 of this subtitle.

(d) "Dwelling" means:

(1) any building, structure, or portion of a building or structure that is occupied, or designed or intended for occupancy, as a residence by one or more families; and

(2) any vacant land that is offered for sale or lease for the construction or location on the land of any building, structure, or portion of a building or structure described in item (1) of this subsection.

(e) (1) "Familial status" means the status of one or more minors who are domiciled with:

(i) a parent or other person having legal custody of the minor; or

(ii) the designee of a parent or other person having legal custody of the minor with the written permission of the parent or other person.

(2) "Familial status" includes the status of being:

(i) a pregnant woman; or

(ii) an individual who is in the process of securing legal custody of a minor.

(f) "Family" includes a single individual.

(g) "In the business of selling or renting dwellings" means:

(1) within the preceding 12 months, participating as a principal in three or more transactions involving the sale or rental of any dwelling or any interest in a dwelling;

(2) within the preceding 12 months, participating as an agent, other than in the sale of the individual's own personal residence, in providing sales or rental facilities

1 or services in two or more transactions involving the sale or rental of any dwelling or any
2 interest in a dwelling; or

3 (3) being the owner of any dwelling occupied, or designed or intended for
4 occupancy, by five or more families.

5 (h) "Marital status" means the state of being single, married, separated, divorced,
6 or widowed.

7 (i) "Rent" includes to lease, sublease, let, or otherwise grant for a consideration
8 the right to occupy premises not owned by the occupant.

9 (J) (1) **"SOURCE OF INCOME" MEANS ANY LAWFUL SOURCE OF MONEY**
10 **PAID DIRECTLY OR INDIRECTLY TO OR ON BEHALF OF A RENTER OR BUYER OF**
11 **HOUSING.**

12 (2) **"SOURCE OF INCOME" INCLUDES INCOME FROM:**

13 (I) **A LAWFUL PROFESSION, OCCUPATION, OR JOB;**

14 (II) **ANY GOVERNMENT OR PRIVATE ASSISTANCE, GRANT, LOAN,**
15 **OR RENTAL ASSISTANCE PROGRAM, INCLUDING LOW-INCOME HOUSING**
16 **ASSISTANCE CERTIFICATES AND VOUCHERS ISSUED UNDER THE UNITED STATES**
17 **HOUSING ACT OF 1937;**

18 (III) **A GIFT, AN INHERITANCE, A PENSION, AN ANNUITY,**
19 **ALIMONY, CHILD SUPPORT, OR OTHER CONSIDERATION OR BENEFIT; OR**

20 (IV) **THE SALE OR PLEDGE OF PROPERTY OR AN INTEREST IN**
21 **PROPERTY.**

22 20-702.

23 (a) It is the policy of the State:

24 (1) to provide for fair housing throughout the State to all, regardless of
25 race, color, religion, sex, familial status, national origin, marital status, sexual orientation,
26 gender identity, [or] disability, **OR SOURCE OF INCOME;** and

27 (2) to that end, to prohibit discriminatory practices with respect to
28 residential housing by any person, in order to protect and ensure the peace, health, safety,
29 prosperity, and general welfare of all.

30 (b) This subtitle:

1 (1) is an exercise of the police power of the State for the protection of the
2 people of the State; and

3 (2) shall be administered and enforced by the Commission and, as provided
4 in this title, enforced by the appropriate State court.

5 20–704.

6 (a) This subtitle does not apply to:

7 (1) the sale or rental of a single–family dwelling, if the dwelling is sold or
8 rented without:

9 (i) the use of the sales or rental facilities or services of any:

10 1. real estate broker, agent, or salesperson;

11 2. agent of any real estate broker, agent, or salesperson;

12 3. person in the business of selling or renting dwellings; or

13 4. agent of a person in the business of selling or renting
14 dwellings; or

15 (ii) the publication, posting, or mailing, after notice, of any
16 advertisement or written notice in violation of this subtitle; and

17 (2) with respect to discrimination on the basis of sex, sexual orientation,
18 gender identity, [or] marital status, **OR SOURCE OF INCOME IF THE SOURCE OF INCOME**
19 **IS RENTAL ASSISTANCE:**

20 (i) the rental of rooms in any dwelling, if the owner maintains the
21 dwelling as the owner’s principal residence; or

22 (ii) the rental of any apartment in a dwelling that contains not more
23 than five rental units, if the owner maintains the dwelling as the owner’s principal
24 residence.

25 (b) The use of attorneys, escrow agents, abstractors, title companies, and other
26 similar professional assistance as necessary to perfect or transfer the title to a
27 single–family dwelling does not subject a person to this subtitle if the person otherwise
28 would be exempted under subsection (a) of this section.

29 (c) (1) (i) In this subsection, “housing for older persons” means housing:

1. provided under any State or federal program that is specifically designed and operated to assist elderly persons, as defined in the State or federal program;

2. intended for, and solely occupied by, persons who are at least 62 years old;

3. intended and operated for occupancy by at least one person who is at least 55 years old in each unit; or

4. that meets the requirements set forth in regulations adopted by the Secretary of Housing and Urban Development under 42 U.S.C. § 3607(b)(2)(C).

(ii) "Housing for older persons" includes:

1. unoccupied units, if the units are reserved for occupancy by persons who meet the age requirements of subparagraph (i) of this paragraph; or

2. units occupied as of September 13, 1988 by persons who do not meet the age requirements of subparagraph (i) of this paragraph, if the new occupant of the unit meets the age requirement.

(2) The provisions in this subtitle concerning familial status do not apply to housing for older persons.

(D) THE PROHIBITIONS IN THIS SUBTITLE AGAINST DISCRIMINATION BASED ON SOURCE OF INCOME DO NOT:

(1) PROHIBIT A PERSON FROM DETERMINING THE ABILITY OF A POTENTIAL BUYER OR RENTER TO PAY A PURCHASE PRICE OR PAY RENT BY VERIFYING IN A COMMERCIALY REASONABLE AND NONDISCRIMINATORY MANNER THE SOURCE AND AMOUNT OF INCOME OF THE POTENTIAL BUYER OR RENTER; OR

(2) PREVENT A PERSON FROM REFUSING TO CONSIDER INCOME DERIVED FROM ANY CRIMINAL ACTIVITY.

20-705.

Except as provided in §§ 20-703 and 20-704 of this subtitle, a person may not:

(1) refuse to sell or rent after the making of a bona fide offer, refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny, a dwelling to any person because of race, color, religion, sex, disability, marital status, familial status, sexual orientation, gender identity, [or] national origin, **OR SOURCE OF INCOME;**

(2) discriminate against any person in the terms, conditions, or privileges of the sale or rental of a dwelling, or in the provision of services or facilities in connection with the sale or rental of a dwelling, because of race, color, religion, sex, disability, marital status, familial status, sexual orientation, gender identity, [or] national origin, OR SOURCE OF INCOME;

(3) make, print, or publish, or cause to be made, printed, or published, any notice, statement, or advertisement with respect to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on race, color, religion, sex, disability, marital status, familial status, sexual orientation, gender identity, [or] national origin, OR SOURCE OF INCOME, or an intention to make any preference, limitation, or discrimination;

(4) represent to any person, because of race, color, religion, sex, disability, marital status, familial status, sexual orientation, gender identity, [or] national origin, OR SOURCE OF INCOME, that any dwelling is not available for inspection, sale, or rental when the dwelling is available; or

(5) for profit, induce or attempt to induce any person to sell or rent any dwelling by representations regarding the entry or prospective entry into the neighborhood of a person of a particular race, color, religion, sex, disability, marital status, familial status, sexual orientation, gender identity, [or] national origin, OR SOURCE OF INCOME.

20–707.

(a) In this section, “residential real estate–related transaction” means:

(1) the making or purchasing of loans or providing other financial assistance:

(i) for purchasing, constructing, improving, repairing, or maintaining a dwelling; or

(ii) secured by residential real estate; or

(2) the selling, brokering, or appraising of residential real property.

(b) (1) A person whose business includes engaging in residential real estate–related transactions may not discriminate against any person in making available a transaction, or in the terms or conditions of a transaction, because of race, color, religion, sex, disability, marital status, familial status, sexual orientation, gender identity, [or] national origin, OR SOURCE OF INCOME.

(2) Paragraph (1) of this subsection does not prohibit a person engaged in the business of furnishing appraisals of real property from taking into consideration factors

1 other than race, color, religion, sex, disability, marital status, familial status, sexual
2 orientation, gender identity, [or] national origin, **OR SOURCE OF INCOME**.

3 (c) A person may not, because of race, color, religion, sex, disability, marital
4 status, familial status, sexual orientation, gender identity, [or] national origin, **OR**
5 **SOURCE OF INCOME**:

6 (1) deny a person access to, or membership or participation in, a
7 multiple-listing service, real estate brokers' organization, or other service, organization, or
8 facility relating to the business of selling or renting dwellings; or

9 (2) discriminate against a person in the terms or conditions of membership
10 or participation.

11 20-1103.

12 (a) In this section, "disability", "dwelling", "familial status", "marital status",
13 [and] "rent", AND "**SOURCE OF INCOME**" have the meanings stated in § 20-701 of this
14 title.

15 (b) Whether or not acting under color of law, a person may not, by force or threat
16 of force, willfully injure, intimidate, interfere with, or attempt to injure, intimidate, or
17 interfere with:

18 (1) any person because of race, color, religion, sex, disability, marital
19 status, familial status, sexual orientation, gender identity, [or] national origin, **OR**
20 **SOURCE OF INCOME** and because the person is or has been:

21 (i) selling, purchasing, renting, financing, occupying, or contracting
22 or negotiating for the sale, purchase, rental, financing, or occupation of any dwelling; or

23 (ii) applying for or participating in any service, organization, or
24 facility relating to the business of selling or renting dwellings;

25 (2) any person because the person is or has been, or in order to intimidate
26 the person or any other person or any class of persons from:

27 (i) participating, without discrimination on account of race, color,
28 religion, sex, disability, marital status, familial status, sexual orientation, gender identity,
29 [or] national origin, **OR SOURCE OF INCOME**, in any of the activities, services,
30 organizations, or facilities described in item (1) of this subsection; or

31 (ii) affording another person or class of persons the opportunity or
32 protection to participate in any of the activities, services, organizations, or facilities
33 described in item (1) of this subsection; or

1 (3) any person because the person is or has been, or in order to discourage
2 the person or any other person from:

3 (i) lawfully aiding or encouraging other persons to participate,
4 without discrimination on account of race, color, religion, sex, disability, marital status,
5 familial status, sexual orientation, gender identity, [or] national origin, **OR SOURCE OF**
6 **INCOME**, in any of the activities, services, organizations, or facilities described in item (1)
7 of this subsection; or

8 (ii) participating lawfully in speech or peaceful assembly opposing
9 any denial of the opportunity to participate in any of the activities, services, organizations,
10 or facilities described in item (1) of this subsection.

11 (c) A person who violates this section is guilty of a misdemeanor and on conviction
12 is subject to:

13 (1) imprisonment not exceeding 1 year or a fine not exceeding \$1,000 or
14 both;

15 (2) if the violation results in bodily injury, imprisonment not exceeding 10
16 years or a fine not exceeding \$10,000 or both; or

17 (3) if the violation results in death, imprisonment not exceeding life.

18 SECTION 2. AND BE IT FURTHER ENACTED, That this Act does not limit the
19 rights or remedies that otherwise are available to a landlord or tenant under any other law.

20 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 October 1, 2017.

Department of Legislative Services
Maryland General Assembly
2017 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 172 (Delegates Lafferty and McIntosh)
Environment and Transportation

Home Act of 2017

This bill prohibits discriminatory practices in residential real estate transactions and the sale or rental of a dwelling because of a person's source of income.

Fiscal Summary

State Effect: Any additional workload for the Maryland Commission on Civil Rights (MCCR), the Judiciary, or the Office of Administrative Hearings can be handled with existing budgeted resources. Potential minimal increase in general fund revenues and expenditures due to the bill's penalty provisions.

Local Effect: Potential minimal increase in expenditures due to the bill's criminal penalty provisions. Revenues are not likely affected, as most of the additional criminal cases resulting from the bill are under the jurisdiction of the District Court. The bill does not materially impact the workload of the circuit courts.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary: The bill prohibits taking the following actions because of a person's source of income: (1) refusing to sell or rent a dwelling after the making of a bona fide offer; (2) refusing to negotiate for the sale or rental of a dwelling; (3) making a dwelling otherwise unavailable; (4) discriminating in the terms, conditions, or privileges of sale or rental of a dwelling; (5) discriminating in the provision of services or facilities in connection with the sale or rental of a dwelling; (6) making, printing, or publishing or causing to be made, printed, or published any notice, statement, or advertisement with

respect to the sale or rental of a dwelling that indicates a preference, limitation, or discrimination based on source of income; (7) representing to a person that a dwelling is not available for inspection, sale, or rental when it is available; and (8) for profit, inducing or attempting to induce a person to sell or rent a dwelling by representations regarding the entry or prospective entry into the neighborhood of a person or persons with a particular source of income.

Under the bill, a “source of income” is any lawful source of money paid directly or indirectly to or on behalf of a renter or buyer of housing, including income from (1) any lawful profession, occupation, or job; (2) any government or private assistance, grant, loan, or rental assistance program, including low-income housing assistance certificates and vouchers; (3) any gift, inheritance, pension, annuity, alimony, child support, or other consideration or benefit; and (4) any sale or pledge of property or an interest in property.

The bill also prohibits a person whose business includes engaging in residential real estate related transactions from discriminating against a person in making available a transaction, or in the terms or conditions of a transaction, because of the person’s source of income. However, a real estate appraiser may take into consideration factors other than source of income. The bill prohibits a person from, because of a person’s source of income, denying that person access to, or membership or participation in, a multiple-listing service; real estate brokers’ organization; or other service, organization, or facility relating to the business of selling or renting dwellings, or discriminating against a person in the terms or conditions of membership or participation.

The bill also prohibits any person, whether or not acting under color of law, by force or threat of force, from willfully injuring, intimidating, or interfering with a person’s activities related to the sale, purchase, rental, or occupation of a dwelling, or from attempting to do so. Existing criminal penalties relating to these activities are expanded to include the prohibition against discrimination based on source of income.

The bill does not apply to the rental of rooms or apartments in an owner’s principal residence if the source of income is rental assistance. The exemption for apartments is limited to an owner-occupied dwelling with up to five rental units.

The bill neither prevents a person from refusing to consider income derived from any criminal activity nor prohibits a person from determining the ability of a potential buyer or renter to pay by verifying, in a commercially reasonable and nondiscriminatory manner, the source and amount of income of the potential buyer or renter. The bill does not limit the rights or remedies that are otherwise available to a landlord or tenant under any other law.

Current Law: Housing discrimination because of race, sex, color, religion, national origin, marital status, familial status, sexual orientation, gender identity, or disability is prohibited. There is no provision prohibiting housing discrimination based on source of income.

A person claiming to have been injured by a discriminatory housing practice may file a complaint with MCCR or file a civil action in circuit court. If an administrative law judge (ALJ) finds that the respondent has engaged in a discriminatory housing practice, the ALJ may order appropriate relief, including actual damages and injunctive or other relief, and may assess a civil penalty against the respondent. A court may award actual or punitive damages, grant injunctive relief, and allow reasonable attorney's fees and costs.

Willfully injuring, intimidating, or interfering, by force or threat of force, with a person's activities related to the sale, purchase, rental, or occupation of a dwelling, or to attempt to do so, is a misdemeanor. A violator is subject to maximum penalties of 1 year imprisonment and/or a \$1,000 fine. If the violation results in bodily injury, the maximum penalty is 10 years imprisonment and/or a \$10,000 fine. If the violation results in death, the maximum penalty is life imprisonment.

Background: For additional information regarding source-of-income discrimination, please see the **Appendix – The Housing Choice Voucher Program and Source-of-income Discrimination**.

State Revenues: General fund revenues may increase minimally as a result of the bill's monetary penalty provision from cases heard in the District Court or from additional civil penalties assessed.

State Expenditures: General fund expenditures may increase minimally as a result of the bill's incarceration penalty due to the possibility of more people being committed to State correctional facilities for convictions in Baltimore City. The number of people convicted under the bill's provisions who are likely to be subject to incarceration is not expected to materially affect the expenditures of the Department of Public Safety and Correctional Services (DPSCS).

Generally, persons serving a sentence of one year or less in a jurisdiction other than Baltimore City are sentenced to a local detention facility. The Baltimore Pretrial Complex, a State-operated facility, is used primarily for pretrial detentions.

Increased penalties of life imprisonment and a \$10,000 fine and/or 10 years imprisonment are provided if specified violations result in death or bodily injury, respectively. However, it is assumed that only a minimal number of people are potentially subject to these increased penalties. Accordingly, DPSCS expenditures are not materially impacted as a

result of people being sentenced to State correctional facilities for longer periods of time under the increased penalty provisions.

Local Revenues: Although increased penalties of life imprisonment and a \$10,000 fine and/or 10 years imprisonment are imposed if specified violations result in death or bodily injury, respectively, it is assumed that the potential number of people subject to these increased penalties does not materially impact the revenues of the circuit courts, as most of the cases fall under the jurisdiction of the District Court.

Local Expenditures: Expenditures may increase minimally as a result of the bill's incarceration penalty. It is expected, however, that those subject to incarceration under the bill's provisions are not likely to materially affect local government expenditures.

Counties pay the full cost of incarceration for people in their facilities for the first 12 months of the sentence. Per diem operating costs of local detention facilities have ranged from approximately \$60 to \$160 per inmate in recent years.

Small Business Effect: By prohibiting discrimination based on the source of a tenant's income, additional landlords may be subject to participation in the Housing Voucher program, which was established as a voluntary program. Landlords participating in the Housing Voucher program may have increased administrative responsibilities, as program participation, which is governed by federal standards, is administered by State and local housing authorities. For example, federal regulations require annual inspections by the housing authorities; some housing authorities require participating landlords to have direct deposit.

Additional Information

Prior Introductions: HB 759 of 2016 received a hearing in the House Environment and Transportation Committee, but no further action was taken. HB 366 of 2014, a similar bill, was withdrawn. HB 1098 of 2014, another similar bill, received a hearing in the House Environmental Matters Committee but was subsequently withdrawn. SB 487 of 2013 was recommitted to the Senate Judicial Proceedings Committee. Its cross file, HB 603, received a hearing in the House Environmental Matters Committee, but no further action was taken. In addition, similar bills were introduced in the 2010 through 2012 sessions.

Cross File: None.

Information Source(s): Maryland Commission on Civil Rights; Department of Housing and Community Development; Judiciary (Administrative Office of the Courts); Office of Administrative Hearings; Poverty and Race Research Council; U.S. Department of

Housing and Urban Development; National Bureau of Economic Research; Center on Budget and Policy Priorities; *Housing Policy Debate*; *Housing Studies*; Department of Legislative Services

Fiscal Note History: First Reader - February 1, 2017
mm/kdm

Analysis by: Jennifer K. Botts

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Appendix – The Housing Choice Voucher Program and Source-of-income Discrimination

Background

According to the Poverty and Race Research Action Council, 12 states (California, Connecticut, Maine, Massachusetts, Minnesota, New Jersey, North Dakota, Oklahoma, Oregon, Utah, Vermont, and Wisconsin) and the District of Columbia (as of May 2016) have statutes prohibiting housing discrimination on the basis of a person's source of income. Numerous laws are also found at the local level nationwide, including cities such as Chicago, New York City, Philadelphia, Memphis, and Seattle. In Maryland, Frederick, Howard, and Montgomery counties, as well as the cities of Frederick and Annapolis, prohibit source-of-income discrimination within their jurisdiction. Under these statutes, "source of income" may include almost any lawful source of money, such as benefits from any government assistance program, private loans, gifts, pensions, alimony, and child support; the income derived from government housing assistance (*i.e.*, housing vouchers) tends to be the most controversial. While some statutes expressly include the use of housing vouchers under source-of-income protections, others do not. Moreover, court rulings in some states (*e.g.*, California and Minnesota) have held that statutes prohibiting source-of-income discrimination do not apply to landlords who decline to accept housing vouchers.

Housing Choice Voucher Program – Generally

The Housing Choice Voucher Program is a program of the U.S. Department of Housing and Urban Development (HUD) that subsidizes the cost of housing for low-income individuals and evolved from numerous federal initiatives to provide affordable housing. Initial efforts, such as the federal Housing Act of 1937, were focused on addressing the issue of affordable housing by providing federal funding to state or local housing authorities to construct public housing. Later legislation, including the Housing and Community Development Act of 1974, which allowed families to select their own housing and lease directly from a building owner through a rental certificate program, illustrated the shift in federal affordable housing strategies from locally owned public housing to privately owned rental housing. The rental certificate program was popular due to its ability to provide assistance quickly, allow families a choice of housing, and disperse families throughout the community without automatically creating "projects" or locations with high concentrations of poverty. Many aspects of the rental certificate program were included in the Quality Housing and Work Responsibility Act of 1998, which created the current Housing Choice Voucher Program.

Households with annual incomes of 50% or less of the area median income are eligible for the program. Under federal rules, 75% of annual admissions must be families with annual incomes at or below 30% of the area median income. In Maryland, local housing authorities (or the Department of Housing and Community Development (DHCD) in jurisdictions without a housing authority) administer the program and determine a payment standard for each area based on fair market rent guidelines issued by HUD. Once a voucher has been awarded, eligible individuals are responsible for finding a suitable housing unit where the owner agrees to rent under the program. A voucher recipient may choose a housing unit that rents for more or less than the payment standard. Voucher recipients must pay 30% of their monthly adjusted gross income for rent and utilities; housing assistance payments under the voucher program are the difference between the payment standard and 30% of the family's adjusted income. If the rent is greater than the payment standard, the family must pay the additional amount; however, if a family moves to a new unit where the rent exceeds the payment standard, the family may not pay more than 40% of its adjusted monthly income for rent. The local housing agency pays the housing assistance payment directly to the owner of the property. The federal law does not require that a landlord participate in the program.

As of August 15, 2016, 53,505 vouchers had been awarded and 47,291 of the vouchers were under lease. However, demand for the program far exceeds the supply of resources. At the end of fiscal 2016, DHCD had more than 8,000 individuals on its waitlist, with an average waiting time of over four years.

Source-of-income Discrimination Issues

The federal Fair Housing Act prohibits landlords from refusing to rent based on a tenant's race, color, religion, sex, national origin, familial status, or disability. Pursuant to State law, housing discrimination based on race, sex, color, religion, national origin, marital status, familial status, sexual orientation, disability, or gender orientation is prohibited. Although source-of-income discrimination is not prohibited by federal law or the law of the majority of states, including Maryland, advocates have expressed concerns that the refusal of landlords to accept vouchers has a disproportionate impact on minorities. According to data from HUD at the end of 2015, 79% of voucher holders in the State were minorities.

HUD has stated that efforts to increase housing choice and access to opportunity are at the core of its fair housing efforts. It has also noted that the federal Fair Housing Act and subsequent laws reaffirming its principles require recipients of federal funds not only to refrain from discrimination but also to take actions to address segregation and related barriers for protected classes. HUD recently recognized how the connection between source-of-income discrimination and the housing voucher program may have a vital role in promoting affordable housing opportunities in better neighborhoods. As part of a

settlement agreement in early 2016 between HUD and Baltimore County regarding, in part, allegations of violations of the Fair Housing Act, a provision required the county executive to submit to the county council and actively promote legislation that would prohibit source-of-income discrimination. Although the legislation ultimately failed in August 2016, it must be resubmitted after the next term of office of the county executive. The settlement agreement also requires Baltimore County, when preparing specified plans and analyses for submission to HUD, to state that discrimination based on source of income is an impediment to fair housing choice and a significant contributing factor when assessing fair housing in the county.

Neighborhoods and Opportunity: A large body of research has been devoted to examining the potential impact that access to quality neighborhoods has on individuals and families. Many studies have focused on analyzing the Moving to Opportunity (MTO) demonstration program, which operated in Baltimore City and four other major U.S. cities, and offered families with children who lived in high-poverty public housing projects the ability (via random lottery) to use their housing vouchers to move into lower poverty neighborhoods. According to a 2012 study from the National Bureau of Economic Research (NBER), *Long-Term Neighborhood Effects on Low-Income Families: Evidence from Moving to Opportunity*, movers reported lower rates of obesity and diabetes and 33% fewer instances of major depression. A more recent study from NBER, *The Effects of Exposure to Better Neighborhoods on Children: New Evidence from the Moving to Opportunity Experiment* (2015), focused on the impacts of MTO for children who moved when they were younger than age 18 and concluded that the move significantly improved college attendance rates. Compared to individuals in the MTO control group (who did not move), these individuals also have higher incomes, live in better neighborhoods as adults, and are less likely to become single parents.

As noted, one of the intents of housing vouchers was to allow program recipients to choose where they live, in an effort to avoid duplicating the pockets of poverty that were created with public housing developments. Studies evaluating whether the voucher program has successfully promoted neighborhood integration have been mixed. The Center on Budget and Policy Priorities analyzed HUD data regarding voucher use in 2014. According to its findings, approximately 13% of families with children participating in the voucher program used vouchers to live in low-poverty areas (where fewer than 10% of residents are poor). It found that vouchers were particularly useful in enabling minority children to live in lower poverty neighborhoods. However, 343,000 children in families using vouchers still lived in extremely poor neighborhoods (where more than 40% of residents were poor).

Another study evaluating the use of housing vouchers between 2000 and 2008, *The Reconcentration of Poverty: Patterns of Housing Voucher Use, 2000 to 2008*, Housing Policy Debate 2014, found that vouchers actually perpetuated concentrated poverty and racial segregation in the 50 most populous U.S. metropolitan areas. The study noted that

the trends reflect a combination of preferences of voucher households and the unavailability or inaccessibility of affordable rental housing in certain communities. However, low-income households using vouchers were more segregated by race and income than a comparison group of nonvoucher households earning less than \$15,000 annually. This suggests that additional constraints may face voucher households, including a reluctance by landlords to accept vouchers and the allowable rental costs covered by the program.

While acknowledging that there are valid reasons for landlords to decline participating in the program, such as not being able to charge rent while voucher units are undergoing inspections by local housing authorities, the study noted that households in metropolitan areas with source-of-income protection laws were less racially segregated and less clustered within specific census tracts. Another study, *Do Source of Income (SOI) Anti-Discrimination Laws Facilitate Access to Better Neighborhoods?*, Housing Studies (2014), concluded that living in a jurisdiction with a source-of-income law was associated with voucher recipients living in neighborhoods with lower poverty rates. However, it also concluded that source-of-income laws did not appear to facilitate the movement of voucher recipients away from concentrations of other voucher recipients. Finally, another study found that source-of-income laws increase the percentage of people who are able to successfully find housing with a voucher (the utilization rate) by between 4% and 11% (*The Impact of Source of Income Laws on Voucher Utilization*, Housing Policy Debate 2012).

Administrative Burden Challenge Rejected: The Court of Appeals examined the issue of source-of-income discrimination in a 2007 case, *Montgomery County v. Glenmont Hills*, 402 Md. 250 (2007). The case involved Montgomery County's fair housing law, to which a prohibition of refusing to lease or rent housing to any person based on source of income was added in 1991. In the case, Glenmont Hills Associates (GHA), the owner of a multi-unit residential apartment complex, had a business policy not to participate in the voucher program. After an applicant intending to use a voucher was refused, the Montgomery County Commission on Human Rights and the rejected tenant filed separate complaints alleging a violation of the county's law. The initial hearing examiner and the subsequent case review board appointed by the commission found that GHA was in violation of the law. The administrative decision was overturned by the Circuit Court for Montgomery County, which ruled that the county cannot force a landlord to enter into a contract with the federal government. As an alternative basis, it also found that the refusal to rent to voucher recipients was not based on the tenant's status as a voucher holder, but instead on a legitimate desire to avoid the administrative hassle of the program.

The Court of Appeals granted *certiorari* and rejected GHA's argument that because federal law does not require landlords to accept vouchers, it preempts the county's source-of-income discrimination law. As a result, the ruling has the practical effect of

mandating landlord participation in Montgomery County. The court held that for GHA's preemption argument to prevail, it would have to find that voluntary participation by landlords was a central component of the voucher legislation; the court found nothing to indicate that this was an important congressional objective. The court also considered whether participation in the voucher program created an undue burden on landlords and noted case law holding that unless a landlord can establish a burden that is severe enough to constitute a taking of property, or a violation of due process, an administrative burden is not a viable defense. Accordingly, the court reversed the judgment of the circuit court and remanded the case with instructions to affirm the final order of the Montgomery County Commission on Human Rights.

SENATE BILL 397

Q3

7lr1560

By: **Senators Edwards and Madaleno**

Introduced and read first time: January 27, 2017

Assigned to: Budget and Taxation

A BILL ENTITLED

1 AN ACT concerning

2 **Local Income Tax Overpayments – Local Reserve Account Repayment –**
3 **Forgiveness**

4 FOR the purpose of repealing a requirement that a county or municipal corporation that
5 receives a certain overpayment of local income tax revenue reimburse a certain
6 account for its share of the overpayment; repealing a certain requirement that the
7 Comptroller withhold, under certain circumstances, the amount certain counties or
8 municipal corporations owe to a certain account from certain distributions;
9 prohibiting the Comptroller from requiring a county or municipal corporation that
10 receives an overpayment to reimburse a certain account; repealing a certain
11 requirement that the Comptroller perform a certain analysis before requiring a
12 county or municipal corporation to make a certain reimbursement; and generally
13 relating to the requirement that certain counties or municipal corporations repay
14 certain overpayments of local income tax revenue.

15 BY repealing and reenacting, with amendments,
16 Article – Tax – General
17 Section 2–611
18 Annotated Code of Maryland
19 (2016 Replacement Volume)

20 BY repealing
21 Chapter 24 of the Acts of the General Assembly of 2016
22 Section 2

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
24 That the Laws of Maryland read as follows:

25 **Article – Tax – General**

26 2–611.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(a) In this section, "account" means the Local Reserve Account established to comply with § 2-606 of this subtitle.

(b) This section applies to a county or municipal corporation that receives an overpayment or underpayment of local income tax revenue from the Comptroller.

(c) After reviewing income tax revenue distributions to a county or municipal corporation, if the Comptroller determines that the county or municipal corporation received an underpayment of income tax, the Comptroller shall initially pay the amount due to the county or municipal corporation from the account.

(d) [(1)] After reviewing income tax revenue distributions to a county or municipal corporation, if the Comptroller determines that the county or municipal corporation received an overpayment of income tax, [the county or municipal corporation shall reimburse the account for its share of the overpayment.

(2) If the affected county or municipal corporation does not reimburse the account in a timely fashion, the Comptroller shall withhold the amount owed to the account from the quarterly income tax distributions in forty equal installments beginning with the first applicable quarterly distribution made after the county or municipal corporation has made its final reimbursement payment, if required to do so, under § 27 of Chapter 489 of the Acts of 2015, as amended.] **THE COMPTROLLER MAY NOT REQUIRE THE COUNTY OR MUNICIPAL CORPORATION TO REIMBURSE THE ACCOUNT FOR ITS SHARE OF THE OVERPAYMENT.**

(e) A determination by the Comptroller under this section that a county or municipal corporation received an underpayment or overpayment of income tax shall be based on a full accounting of income tax returns for the taxable year for which the county or municipal corporation received the underpayment or overpayment.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Chapter 24 of the Acts of 2016

[SECTION 2. AND BE IT FURTHER ENACTED, That the Comptroller may not require a county or municipal corporation to make a reimbursement payment under § 2-611 of the Tax – General Article until the Comptroller completes a statewide analysis to determine the number of counties or municipal corporations that received an overpayment or underpayment of local income tax revenue.]

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2017.

SENATE BILL 422

M4

7lr1519
CF 7lr1976

By: **Senators Pinsky, Benson, Conway, Currie, Feldman, Ferguson, Guzzone, Kelley, King, Lee, Madaleno, Manno, Muse, Nathan-Pulliam, Ramirez, Robinson, Rosapepe, Smith, Young, and Zucker**

Introduced and read first time: January 27, 2017

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Keep Antibiotics Effective Act of 2017**

3 FOR the purpose of prohibiting, on or after a certain date, a certain owner of cattle, swine,
4 or poultry from administering, or authorizing an agent to administer, certain
5 antimicrobial drugs in certain cattle, swine, and poultry without a certain
6 antimicrobial drug prescription or veterinary feed directive issued by a licensed
7 veterinarian in accordance with certain conditions; prohibiting certain antimicrobial
8 drugs from being administered to cattle, swine, and poultry for certain purposes;
9 requiring certain antimicrobial drugs to be administered in a certain manner;
10 requiring a certain owner to submit to the State Department of Agriculture a copy of
11 a certain antimicrobial drug prescription or veterinary feed directive in a certain
12 manner; requiring the Department to maintain certain information and make the
13 information available for public review in a certain manner; requiring the
14 Department to report to the General Assembly on or before a certain date each year,
15 beginning on or before a certain date; authorizing the Secretary of Agriculture to
16 impose a certain penalty; authorizing the Department to adopt certain regulations;
17 providing for the application of this Act; defining certain terms; and generally
18 relating to the use of antimicrobial drugs in cattle, swine, and poultry.

19 BY adding to

20 Article – Agriculture

21 Section 3–1001 through 3–1006 to be under the new subtitle “Subtitle 10. Use of
22 Antimicrobial Drugs”

23 Annotated Code of Maryland

24 (2016 Replacement Volume)

25 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
26 That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Agriculture

SUBTITLE 10. USE OF ANTIMICROBIAL DRUGS.

3-1001.

(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(B) “DISEASE CONTROL” MEANS THE USE OF A MEDICALLY IMPORTANT ANTIMICROBIAL DRUG TO CONTROL THE SPREAD OF A DOCUMENTED DISEASE OR INFECTION PRESENT IN A BARN OR EQUIVALENT ANIMAL HOUSING UNIT.

(C) “MEDICALLY IMPORTANT ANTIMICROBIAL DRUG” MEANS ANY DRUG FROM A CLASS OF DRUG OR DERIVATIVE OF A CLASS OF DRUG THAT IS:

(1) (I) MADE FROM A MOLD OR BACTERIUM THAT KILLS OR SLOWS THE GROWTH OF OTHER MICROBES, SPECIFICALLY BACTERIA; AND

(II) USED IN HUMAN BEINGS OR INTENDED FOR USE IN HUMAN BEINGS TO TREAT OR PREVENT DISEASE OR INFECTION; OR

(2) LISTED IN APPENDIX A OF THE FEDERAL FOOD AND DRUG ADMINISTRATION’S GUIDANCE FOR INDUSTRY #152, INCLUDING CRITICALLY IMPORTANT, HIGHLY IMPORTANT, OR IMPORTANT ANTIMICROBIAL DRUGS.

(D) “MEDICALLY IMPORTANT ANTIMICROBIAL DRUG PRESCRIPTION” MEANS AN ORDER ISSUED BY A VETERINARIAN LICENSED IN THE STATE IN THE COURSE OF THE VETERINARIAN’S PROFESSIONAL PRACTICE:

(1) FOR A MEDICALLY IMPORTANT ANTIMICROBIAL DRUG THAT IS:

(I) IN A WATER-SOLUBLE POWDER FORM; AND

(II) TO BE ADDED TO THE DRINKING WATER OF CATTLE, SWINE, OR POULTRY; AND

(2) THAT PROVIDES THE SAME OR SUBSTANTIALLY SIMILAR INFORMATION AS THE INFORMATION THAT IS REQUIRED FOR A VETERINARY FEED DIRECTIVE UNDER TITLE 21, § 558.6(B)(3) AND (4) OF THE CODE OF FEDERAL REGULATIONS.

(E) “OWNER” MEANS A PERSON THAT:

1 (1) HAS AN OWNERSHIP INTEREST IN CATTLE, SWINE, OR POULTRY,
2 INCLUDING A RIGHT OR AN OPTION TO PURCHASE THE CATTLE, SWINE, OR POULTRY;
3 OR

4 (2) IS OTHERWISE ENGAGED IN THE BUSINESS OF OBTAINING LIVE
5 CATTLE, SWINE, OR POULTRY UNDER A GROWING AGREEMENT FOR THE PURPOSE
6 OF EITHER SLAUGHTERING THE CATTLE, SWINE, OR POULTRY OR SELLING THE
7 CATTLE, SWINE, OR POULTRY FOR SLAUGHTER.

8 (F) "VETERINARY FEED DIRECTIVE" MEANS A WRITTEN STATEMENT
9 ISSUED BY A VETERINARIAN LICENSED IN THE STATE IN THE COURSE OF THE
10 VETERINARIAN'S PROFESSIONAL PRACTICE THAT:

11 (1) ORDERS THE USE OF AN ANIMAL DRUG IN OR ON ANIMAL FEED;

12 (2) AUTHORIZES AN OWNER OR A CARETAKER OF AN ANIMAL TO
13 OBTAIN AND USE ANIMAL FEED BEARING OR CONTAINING AN ANIMAL DRUG TO
14 TREAT THE ANIMAL; AND

15 (3) MEETS THE CONDITIONS AND REQUIREMENTS SPECIFIED UNDER
16 TITLE 21, § 558.6 OF THE CODE OF FEDERAL REGULATIONS.

17 **3-1002.**

18 EXCEPT AS OTHERWISE PROVIDED IN FEDERAL LAW OR REGULATION, THIS
19 SUBTITLE DOES NOT APPLY TO ANTIMICROBIAL USE IN:

20 (1) CATTLE ON A FARM OPERATION THAT SELLS FEWER THAN 200
21 CATTLE PER YEAR;

22 (2) SWINE ON A FARM OPERATION THAT SELLS FEWER THAN 200
23 SWINE PER YEAR; OR

24 (3) POULTRY ON A FARM OPERATION THAT SELLS FEWER THAN
25 60,000 BIRDS PER YEAR.

26 **3-1003.**

27 (A) ON OR AFTER FEBRUARY 1, 2018, AND SUBJECT TO SUBSECTION (B) OF
28 THIS SECTION, AN OWNER OF CATTLE, SWINE, OR POULTRY MAY NOT ADMINISTER
29 OR AUTHORIZE AN AGENT TO ADMINISTER A MEDICALLY IMPORTANT
30 ANTIMICROBIAL DRUG TO THE CATTLE, SWINE, OR POULTRY WITHOUT A MEDICALLY

1 IMPORTANT ANTIMICROBIAL DRUG PRESCRIPTION OR A VETERINARY FEED
2 DIRECTIVE ISSUED BY A LICENSED VETERINARIAN:

3 (1) IN THE CONTEXT OF A VETERINARIAN-CLIENT-PATIENT
4 RELATIONSHIP THAT MEETS THE CRITERIA FOR A VALID
5 VETERINARIAN-CLIENT-PATIENT RELATIONSHIP ESTABLISHED UNDER TITLE 21, §
6 530.3 OF THE CODE OF FEDERAL REGULATIONS;

7 (2) WHO HAS, WITHIN THE PREVIOUS 6 MONTHS, VISITED THE FARM
8 OPERATION IN WHICH THE CATTLE, SWINE, OR POULTRY IS LOCATED; AND

9 (3) WHO HAS DETERMINED THAT THE MEDICALLY IMPORTANT
10 ANTIMICROBIAL DRUG IS NECESSARY:

11 (I) TO TREAT A DOCUMENTED DISEASE OR INFECTION;

12 (II) FOR DISEASE CONTROL;

13 (III) FOR A SURGERY OR A MEDICAL PROCEDURE; OR

14 (IV) TO PREVENT A DISEASE THAT RESULTS FROM A
15 VETERINARIAN-DOCUMENTED SPECIFIC EVENT THAT SIGNIFICANTLY INCREASES
16 DISEASE RISK RELATIVE TO NORMAL FACILITY OPERATING CONDITIONS.

17 (B) (1) A MEDICALLY IMPORTANT ANTIMICROBIAL DRUG MAY NOT BE
18 ADMINISTERED TO CATTLE, SWINE, OR POULTRY FOR:

19 (I) GROWTH PROMOTION;

20 (II) FEED EFFICIENCY OR WEIGHT GAIN PURPOSES; OR

21 (III) ROUTINE DISEASE PREVENTION.

22 (2) A MEDICALLY IMPORTANT ANTIMICROBIAL DRUG SHALL BE
23 ADMINISTERED IN A MANNER THAT TREATS THE FEWEST NUMBER OF CATTLE,
24 SWINE, OR POULTRY FOR THE SHORTEST DURATION NECESSARY FOR THE USE
25 AUTHORIZED BY THE MEDICALLY IMPORTANT ANTIMICROBIAL DRUG
26 PRESCRIPTION OR THE VETERINARY FEED DIRECTIVE.

27 3-1004.

28 (A) ON OR BEFORE FEBRUARY 1, 2019, AND EACH FEBRUARY 1
29 THEREAFTER, AN OWNER SHALL SUBMIT TO THE DEPARTMENT, IN A MANNER

1 DETERMINED BY THE DEPARTMENT, FOR EACH MEDICALLY IMPORTANT
2 ANTIMICROBIAL DRUG ADMINISTERED TO CATTLE, SWINE, OR POULTRY DURING
3 THE PREVIOUS CALENDAR YEAR:

4 (1) A COPY OF THE MEDICALLY IMPORTANT ANTIMICROBIAL DRUG
5 PRESCRIPTION; OR

6 (2) A COPY OF THE VETERINARY FEED DIRECTIVE.

7 (B) ALL RECORDS AND INFORMATION RELATING TO A MEDICALLY
8 IMPORTANT ANTIMICROBIAL DRUG PRESCRIPTION OR A VETERINARY FEED
9 DIRECTIVE SUBMITTED TO THE DEPARTMENT UNDER THIS SECTION SHALL BE
10 MAINTAINED BY THE DEPARTMENT AND MADE AVAILABLE FOR PUBLIC REVIEW IN A
11 MANNER THAT PROVIDES THE GREATEST PUBLIC DISCLOSURE OF RECORDS AND
12 INFORMATION WHILE PROTECTING THE IDENTITY OF THE FARM OPERATION OR
13 OWNER OF THE FARM OPERATION TO WHICH THE MEDICALLY IMPORTANT
14 ANTIMICROBIAL DRUG PRESCRIPTION OR VETERINARY FEED DIRECTIVE RELATES.

15 (C) ON OR BEFORE DECEMBER 1, 2019, AND EACH DECEMBER 1
16 THEREAFTER, THE DEPARTMENT SHALL REPORT TO THE GENERAL ASSEMBLY, IN
17 ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT ARTICLE, ON THE
18 INFORMATION SUBMITTED UNDER SUBSECTION (A) OF THIS SECTION.

19 **3-1005.**

20 THE SECRETARY MAY IMPOSE AN ADMINISTRATIVE PENALTY, NOT
21 EXCEEDING \$2,000, ON A PERSON THAT VIOLATES THIS SUBTITLE.

22 **3-1006.**

23 THE DEPARTMENT MAY ADOPT REGULATIONS TO CARRY OUT THIS SUBTITLE.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2017.

revenue generated would go to our schools. What voters weren't told and what a recent [*Baltimore Sun* article](#) explained is that casino money was simply used to replace funds that had been going to schools. Overall school funding didn't increase. I voted against slot machines in 2008 and again in 2012 when table games were added.

[Back to top](#)

My Legislation

Below you'll find my main legislative initiatives for the 2017 session. You can always find the most up to date list [here](#).

SB423 Election Day Voter Registration

This bill allows qualified individuals to register and vote at a polling place on *election day*. Currently, Maryland permits same day registration during the *early* voting period before election day. Same day registration increases voter turnout, remedies inaccurate voter rolls, eliminates arbitrary deadlines that cut off registration, and assists lower-income citizens, young people, and minorities.

SB422 Keep Antibiotics Effective Act of 2017

Farms often administer antibiotics to farm animals, even when animals are not sick. This overuse/abuse of antibiotics has increased the growth of antibiotic resistant bacteria, posing an increasingly dangerous public health threat to people. This bill prohibits the use of 'non-therapeutic' antibiotics in large farms.

SB358 Presidential Candidate Tax Transparency Act of 2017

For 40 years all major party candidates have released their taxes. This bill requires any Presidential candidate who wants to appear on the Maryland ballot to provide copies of their federal income tax returns for the previous five years. If this bill passes, candidates who don't release their taxes won't be on the Maryland ballot.

SB357 Business Relief and Tax Fairness Act of 2017

By taking advantage of a series of loopholes, a significant number of Maryland's largest corporations do not pay any corporate income tax, resulting in a \$75 – \$150 million loss to the state. This bill will force big, multistate and multinational corporations to pay their share by prohibiting them from shifting income to subsidiaries based in low-tax states (combined reporting). The bill also assists small business owners by eliminating a \$300 annual filing fee for businesses with 10 or fewer employees.

SB607 Protecting the Obama Overtime Rule

Currently, an employee designated as a 'manager' making as little as \$27,000 could be forced to work 60 hours per week with no additional compensation. A lower-paid employee should not have to work unlimited hours without getting overtime pay. Last year, President Obama updated the overtime rules, making salaried workers earning up to \$47,000 eligible for overtime pay. That rule was

blocked by a federal court and President Trump will likely withdraw the rule. This bill would codify the Obama Administration's overtime regulations into Maryland state law.

SJ4 Democracy Resolution

The Supreme Court's *Citizens United* ruling has undermined democracy by releasing a flood of unregulated 'dark money' into our elections. The Democracy Resolution would fight corporate influence in elections by calling for a constitutional convention to overturn the ruling and reduce corporate and special interests influence in elections.

SB605 Carried Interest Taxation

Hedge fund managers often pay lower taxes than their secretaries, because their income is in the form of "carried interest," which is taxed at a much lower rate than ordinary income. This bill levies a surcharge to ensure that some of our wealthiest businessman are not able to evade paying their share of taxes.

SB146 Congressional Redistricting

Under this legislation, Maryland's congressional districts would be drawn by a non-partisan independent commission, provided another state of approximately the same size controlled by Republicans agrees to do the same.

[Back to top](#)

Free Tax Assistance

Prince George's Community College is offering free tax preparation again this year. Your household income must be under \$55,000 to qualify. Appointments are available on Saturdays and Tuesday evenings. Click [here](#) for more information or call 301-546-5254.

[Back to Top](#)

Scholarship Information

Are you or one of your children expecting to attend a Maryland college or university next year? Are you interested in financial assistance to help with tuition?

If you live in the 22nd district -- the communities of Berwyn Heights, Edmonston, Greenbelt, Hyattsville, Lanham, New Carrollton, Riverdale Park, Seabrook, or University Park -- you can apply to my scholarshipcommittee for a Senatorial Scholarship.

These scholarships usually range from \$500 to 2,000 for each of four years. The application is online at senatorpinsky.org. Applications are due by **April 1, 2017**.

My scholarship committee, made up entirely of citizen volunteers from the 22nd legislative district, will be selecting the scholarship winners.

**COMMUNITY RELATIONS ADVISORY BOARD (CRAB)
REPORT TO CITY COUNCIL**

SUBJECT: Council Referral – Request from Elizabeth Barber to Repurpose a Newspaper Vending Box

BACKGROUND: At the Regular Meeting on February 8, Council received a request from Elizabeth Barber to repurpose a newspaper vending box and referred it to CRAB. This Washington Post Express box is located at the bus stop at Southway and Crescent. It is no longer used by its owner.

Dr. Barber proposes this newspaper box be stocked with free magazines so transit riders and others would have access to reading material. Dr. Barber, and potentially others, would supply the magazines. Dr. Barber had contacted the Washington Post Express and an official there verbally indicated they would donate the box to the City provided the Washington Post express logos are painted over.

DISCUSSION: At the CRAB meeting on April 19, this request was discussed with Dr. Barber and Barbara Simon. CRAB was supportive of this idea, but did not believe this initiative should be linked/targeted to any particular demographic group. There was discussion about how to repaint the box. There was also discussion of potential titles for this box. “Bring One- Take One” and “Free Magazines” were both discussed and the latter was preferred by CRAB.

CRAB expressed concern about litter in/around the box and believed this project should be implemented on a trial basis.

RECOMENDATIONS:

The City should grant this request subject to the following:

1. This idea will be implemented for a trail period (6 months) at which time it could be evaluated and any concerns addressed.
2. Dr. Barber agrees to periodically restock the box with magazines and monitor the box for trash, inappropriate material, vandalism, etc.
3. Dr. Barber, Ms. Simon and others agree to repaint the box.

Respectfully Submitted

Rick Ransom, Chair
Community Relations Advisory Board

Greenbelt Arts Advisory Board Report 16-3

June 8, 2016

Subject: Free Magazine Box Proposal

Background

At the Regular Meeting on February 8, 2016, Council received a request from Dr. Elizabeth Barber to repurpose a newspaper vending box and referred the matter to CRAB and AAB. This Washington Post Express box is currently located on city property at the bus stop at Southway and Crescent. It is no longer used by its owner but appears to be in good condition. Dr. Barber had contacted the Washington Post Express and an official there verbally indicated they would donate the box to the city provided the Washington Post express logos are painted over. Dr. Barber proposes this newspaper box be repainted in an artistic fashion and that it be stocked with free magazines for use by transit riders and other community members.

The Greenbelt Arts Advisory Board (AAB) met with Dr. Barber regarding her proposal at their March 3, 2016 meeting. Members raised a series of questions for Dr. Barber to consider and invited her to return at a future meeting to continue the discussion when additional details were available. Specifically, members were interested in hearing how the project would be implemented - by whom and with what funds and materials; what the design would be or how a design would be chosen; and who would maintain the box over time. Staff advised Dr. Barber that the city would need written documentation of the donation of the box; following the meeting, Dr. Barber secured email confirmation from Mr. Charles Love of the Washington Post and Express newspapers, enclosed with this report.

After receiving CRAB's report 2016-2, AAB elected to discuss this matter again at their June 7, 2016 meeting. Dr. Barber was invited to attend, as was Barbara Simon who is now working with her on this project; neither was able to attend, but Ms. Simon provided written input which was shared with the Board. Board members present included: John Drago, Mark Granfors-Hunt, Anna Socrates and Charlette Wilson. Also present were Mayor Pro-Tem J. Davis (Council liaison) and Nicole DeWald (staff liaison). Oliver Gaycken and Tatiana Ausema (Chair) were unable to attend; Ms. Ausema contributed written input.

Findings

Board members present unanimously supported the following recommendations:

1. AAB recommends that a community organization be identified that is willing to sponsor the project. This group would provide or secure any necessary funding, implement the project and enter into an MOU with the city. The MOU would reflect that the sponsoring organization is responsible for the contents of the box and for the maintenance of the exterior artwork. The Board suggests approaching the Friends of the Greenbelt Library.
2. If and when a sponsoring organization can be identified, AAB supports the granting of permission for the development of a design proposal.

3. AAB requests the opportunity to review a design proposal and advise Council on same before the design is approved or implemented. The proposal should specify weather- and surface-appropriate paints and/or other art materials to be used in transforming the box. The proposal should include a plan for maintenance of the artwork.
4. AAB recommends that the artwork be completed before the box is put into use.
5. AAB supports CRAB's recommendation of a 6 month trial period once the box is operational.

Authorization

This report is submitted on behalf of the Arts Advisory Board by:

Tatiana Ausema

Tatiana Ausema, Chair

June 8, 2016

Date

From: **Elizabeth Barber** (elizabeth.barber@mygait.com)

Subject: Fwd: RE:

Hi Betsy, Love Betsy

----- Original Message -----

Dear Ms. Barber

The Express newspapers which owns a news rack in the city of Greenbelt, Maryland would like to donate this box to you. This box is currently not used by Express and would other wise, be discarded.

There is no fee or rent for this box. It is a donation from Express, which is fully owned by The Washington Post. If you have any questions or concerns, please call me at 202-334-5286. I am the Circulation Director for The Washington Post and Express.

Sincerely,

Charles Love

From: Elizabeth Barber [mailto:elizabeth.barber@mygait.com]
Sent: Wednesday, March 02, 2016 9:58 PM
To: Love, Charles
Subject:

3/2/16

Dear Mr. Love,

Last night, at the Arts Advisory Board in Greenbelt, Maryland, I presented the idea of using the Washington Post Express newspaper rack for free magazines to be read by the folks at our bus stop.

They asked that you present this wonderful donation to the Greenbelt City Council in writing.

Could you email me with this letter? I will send it on to the City Council.

Thank you,
Dr. Elizabeth Barber

CITY OF GREENBELT
City Clerk's Office
25 Crescent Road
Greenbelt, Maryland 20770

Memorandum

Date: January 26, 2017
To: City Council
Fr: Cindy Murray, City Clerk *CM*
RE: Council Meeting Schedule for 2017

Attached is a proposed Council Meeting Schedule for 2017. It is suggested the schedule be discussed at the City Manager Update work session on February 6th, then included on the agenda of the February 13th Council meeting for action.

cc: Nicole Ard

**CITY OF GREENBELT
City Clerk's Office
25 Crescent Road
Greenbelt, Maryland 20770**

Memorandum

Date: January 4, 2017
To: Michael McLaughlin, City Manager
Fr: Cindy Murray, City Clerk *CM*
RE: Council Meeting Schedule for 2017

A 2017 calendar is attached noting the regularly scheduled Council Meetings in blue and City Holidays in red. Information to be considered when determining the 2017 meeting schedule is noted below.

Budget Approval: Prior to June 10

Conferences (shown in black on calendar)

MML Annual Conference in Ocean City – June 25-28
MML Fall Conference in Rockville – October 11-14
NLC Congressional Cities Conference in DC – March 11-15
NLC City Summit in Charlotte – November 15-18

Jewish Holidays – When work is not permitted (should be avoided)

1. Purim - Sunset Saturday, March 11 (6:11pm) to Sunset Sunday, March 12 (7:12pm)
2. Passover – Sunset Monday, April 10 (7:40pm) to Sunset Wednesday, April 12 (7:42pm) **Schools open**
and Sunset Sunday, April 16 (7:46pm) to Sunset Tuesday, April 18 (7:48pm) **Schools closed**
3. Shavuot – Sunset Tuesday, May 30 (8:26pm) to Sunset Thursday, June 1 (8:27pm) **Schools open**
4. Rosh Hashanah - Sunset Wednesday, September 20 (7:06pm) to Sunset Friday, September 22 (7:03pm) **Schools closed Thursday, September 21**
5. Yom Kippur - Sunset Friday, September 29 (6:52pm) to Sunset Saturday, September 30 (6:50pm)
6. Sukkot - Sunset Wednesday, October 4 (6:44pm) to Sunset Friday, October 6 (6:41pm) **Schools open**
7. Shemini Atzeret & Simchat Torah - Sunset Wednesday, October 11 (6:33pm) to Sunset Friday, October 13, 2017 (6:30pm) **Schools open**

School Board Holidays – Not covered by City Holidays or Jewish Holidays:

1. Good Friday – April 14
2. Easter Monday – April 17

Based on the above information, suggested changes to Council's 2017 meeting scheduled are: 1) No work session on Monday, April 17 (Easter Monday and Passover); 2) reschedule June 12th and June 26th Regular Meetings to June 5th and June 19th (Budget Adoption Prior to June 10th and MML Conference June 25th – 28th): and 3) no work session on Wednesday, September 20th (Rosh Hashanah).

2017

January							February							March						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7				1	2	3	4				1	2	3	4
8	9	10	11	12	13	14	5	6	7	8	9	10	11	5	6	7	8	9	10	11
15	16	17	18	19	20	21	12	13	14	15	16	17	18	12	13	14	15	16	17	18
22	23	24	25	26	27	28	19	20	21	22	23	24	25	19	20	21	22	23	24	25
29	30	31					26	27	28					26	27	28	29	30	31	

April							May							June						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1		1	2	3	4	5	6					1	2	3
2	3	4	5	6	7	8	7	8	9	10	11	12	13	4	5	6	7	8	9	10
9	10	11	12	13	14	15	14	15	16	17	18	19	20	11	12	13	14	15	16	17
16	17	18	19	20	21	22	21	22	23	24	25	26	27	18	19	20	21	22	23	24
23	24	25	26	27	28	29	28	29	30	31				25	26	27	28	29	30	
30																				

July							August							September						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1			1	2	3	4	5						1	2
2	3	4	5	6	7	8	6	7	8	9	10	11	12	3	4	5	6	7	8	9
9	10	11	12	13	14	15	13	14	15	16	17	18	19	10	11	12	13	14	15	16
16	17	18	19	20	21	22	20	21	22	23	24	25	26	17	18	19	20	21	22	23
23	24	25	26	27	28	29	27	28	29	30	31			24	25	26	27	28	29	30
30	31																			

October							November							December						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7				1	2	3	4						1	2
8	9	10	11	12	13	14	5	6	7	8	9	10	11	3	4	5	6	7	8	9
15	16	17	18	19	20	21	12	13	14	15	16	17	18	10	11	12	13	14	15	16
22	23	24	25	26	27	28	19	20	21	22	23	24	25	17	18	19	20	21	22	23
29	30	31					26	27	28	29	30			24	25	26	27	28	29	30
														31						

United States Holidays and Observances

Jan 01	New Year's Day	Jan 16	M L King Day	Feb 14	Valentine's Day
Feb 20	Presidents' Day	Apr 14	Good Friday	Apr 16	Easter Sunday
May 14	Mother's Day	May 29	Memorial Day	Jun 18	Father's Day
Jul 04	Independence Day	Sep 04	Labor Day	Oct 09	Columbus Day

Printed from chabad.org

Jewish Holidays and Festivals

Jewish Holidays and Festivals. Explanations, observances, study, guide and multimedia to all major and minor Jewish holidays and fast days.

Fast of Tevet 10 Site

Fast of Tevet 10

Begins sunrise of **Sunday, January 8, 2017**Ends nightfall of **Sunday, January 8, 2017**

Work permitted

Fast of Tevet 10 Site

Visit Tubshevat.org

15 Shevat

Saturday, February 11, 2017

No work is permitted.

Visit Tubshevat.orgVisit VirtualPurim.org

Purim

Begins sunset of **Saturday, March 11, 2017**Ends nightfall of **Sunday, March 12, 2017**

Work should be avoided.

Consult a Rabbi if this is not possible.

Visit VirtualPurim.org

Ta'anit Esther - March 9, 2017

Shushan Purim - March 13, 2017

Visit Passover.org

Passover

Begins sunset of **Monday, April 10, 2017**Ends nightfall of **Tuesday, April 18, 2017**

No work permitted on April 11 - 12 and April 17 - 18.

Work is permitted only on April 13 - 14 and April 16 with certain restrictions.Visit Passover.org

Second Passover Site

Second Passover

Wednesday, May 10, 2017

Work permitted

Second Passover Site

Visit LagBaOmer.org

Lag B'Omer

Sunday, May 14, 2017

Work permitted

Visit LagBaOmer.org

Sefirat HaOmer - April 11 - May 30, 2017

Visit VirtualShavuot.org

Shavuot

Begins sunset of **Tuesday, May 30, 2017**Ends nightfall of **Thursday, June 1, 2017**

No work is permitted

Visit VirtualShavuot.org

[Visit 3weeks.org](http://3weeks.org)

The Three Weeks

Tuesday, July 11, 2017 through Tuesday, August 1, 2017 [Visit 3weeks.org](http://3weeks.org)

Work permitted, except Shabbat

Fast of the 17th of Tammuz - July 11, 2017

Fast of Tish'a B'Av - July 31 - August 1, 2017

[The 15th of Av Site](http://15thofav.org)

The 15th of Av

Monday, August 7, 2017

[The 15th of Av Site](http://15thofav.org)

Work permitted

[Visit JewishNewYear.org](http://JewishNewYear.org)

Rosh Hashanah

Begins sunset of Wednesday, September 20, 2017

Ends nightfall of Friday, September 22, 2017

No work is permitted

The Month of Elul - August 23 - September 20, 2017

Fast of Gedaliah - September 24, 2017

[Visit JewishNewYear.org](http://JewishNewYear.org)[Yom Kippur Site](http://YomKippur.org)

Yom Kippur

Begins sunset of Friday, September 29, 2017

[Yom Kippur Site](http://YomKippur.org)

Ends nightfall of Saturday, September 30, 2017

No work is permitted

[Sukkot Site](http://Sukkot.org)

Sukkot

Begins sunset of Wednesday, October 4, 2017

[Sukkot Site](http://Sukkot.org)

Ends nightfall of Wednesday, October 11, 2017

No work permitted on October 5 - 6. Work is permitted on October 8 - 11 with certain restrictions.

Hoshanah Rabbah - October 11, 2017

[Visit Site](http://SheminiAtzeret.org)

Shemini Atzeret & Simchat Torah

[Visit Site](http://SheminiAtzeret.org)

Begins sunset of Wednesday, October 11, 2017

Ends nightfall of Friday, October 13, 2017

No work is permitted

[Visit Chanukah.org](http://Chanukah.org)

Chanukah

Begins sunset of Tuesday, December 12, 2017

[Visit Chanukah.org](http://Chanukah.org)

Ends nightfall of Wednesday, December 20, 2017

2016-2017 School Year Calendar

July 4	Monday	Holiday* – Independence Day Schools and Offices Closed
July 5	Tuesday	Last Day of Ramadan 2016
July 7	Thursday	Eid al-Fitr** 2016
August 8-10	Monday - Wednesday	Professional Duty Days for New Teachers
August 15-18	Monday - Thursday	Professional Duty Days for All Teachers
August 17	Wednesday	Professional Development
August 18	Thursday	Systemic Orientation Day for Pre-K and Kindergarten Students
August 22	Monday	Systemic Orientation Day for New 6 th & 7 th Grade Middle-Schoolers & New 9 th -Graders
August 23	Tuesday	First Day of School for All Students
September 5	Monday	Holiday* – Labor Day – Schools and Offices Closed
September 11	Sunday	Eid al-Adha**
September 30	Friday	Professional Development – Schools Closed for Students***
October 3	Monday	Rosh Hashanah**
October 5	Wednesday	1st Quarter Progress Reports Released
October 12	Wednesday	Holiday* – Yom Kippur** – Schools and Offices Closed
October 21	Friday	MSEA Convention – Schools Closed for Students and Teachers***
October 28	Friday	Professional Development – 2-Hr. Early Dismissal for Students
October 28	Friday	End of First Quarter (45 days)
October 30	Sunday	Diwali**
October 31	Monday	Professional Day for Teachers – Schools Closed for Students***
November 8	Tuesday	General Election Day* – Schools and Offices Closed
November 11	Friday	Veterans Day & Parent-Teacher Conferences – Schools Closed for Students***
November 15	Tuesday	1st Quarter Report Cards Released
November 23-25	Wednesday - Friday	Holidays* – Thanksgiving – Schools and Offices Closed
December 7	Wednesday	Professional Development – 2-Hr. Early Dismissal for Students
December 21	Wednesday	2nd Quarter Progress Reports Released
December 23	Friday	Winter Break* – Christmas Holiday – Schools and Offices Closed
December 26-30	Monday - Friday	Winter Break* – Schools and Offices Closed
January 2	Monday	Winter Break* – New Year's Holiday – Schools and Offices Closed
January 16	Monday	Holiday* – Martin L. King, Jr. Day – Schools and Offices Closed
January 19	Thursday	End of Second Quarter (45 days)
January 20	Friday	Professional Day for Teachers – Schools Closed for Students***
February 2	Thursday	2nd Quarter Report Cards Released
February 10	Friday	Professional Development – Schools Closed for Students***
February 20	Monday	Holiday* – Presidents' Day – Schools and Offices Closed
March 7	Tuesday	3rd Quarter Progress Reports Released
March 24	Friday	End of Third Quarter (43 days)
March 27	Monday	Professional Day for Teachers – Schools Closed for Students***
April 10	Monday	3rd Quarter Report Cards Released
April 11-17	Tuesday - Monday	Passover**
April 14 & 17	Friday & Monday	Holidays* – Easter – Schools and Offices Closed
April 18-21	Tuesday - Friday	Spring Break – Schools Closed for Students and Teachers***
May 1	Monday	SENIORS – 4th Quarter Progress Reports Released
May 23	Tuesday	4th Quarter Progress Reports Released
May 27	Saturday	First Day of Ramadan 2017
May 29	Monday	Holiday* – Memorial Day – Schools and Offices Closed
June 2	Friday	SENIORS – 4th Quarter Report Cards Released
June 8	Thursday	2-Hr. Early Dismissal for Students (<i>Subject to change due to inclement weather: may become a full day for students if the last day changes; the 2-hour early dismissal will occur the day before the last day for students</i>)
June 9	Friday	Last Day for Students – 2-Hr. Early Dismissal – End of Fourth Quarter (47 days) (<i>Subject to change due to inclement weather; the 2-hour early dismissal will occur on the last day for students</i>)***
June 12	Monday	Last Day for Teachers (<i>Subject to change due to inclement weather</i>)***
June 12-15	Monday-Thursday	Inclement Weather Make-Up Days
June 22	Thursday	4th Quarter Report Cards Released
June 25	Sunday	Last Day of Ramadan & Eid al-Fitr** 2017

180 student days • 192 teacher days • 195 days for new teachers

*All schools and offices closed

**Except for Diwali, holiday begins at sunset of the preceding day. PGCPs prohibits scheduling of any meetings or activities during or after the regular school day (exceptions for state or regional events, and Parent-Teacher Conferences, which are scheduled annually on the federal holiday to support parent attendance).

***10- and 11-month employees should refer to Bulletin M-1-17: *Scheduled Workdays and Allocation for Supporting Personnel and 11-Month Professional Personnel for the 2016-2017 School Year* (Released in July 2016) for clarification on workdays.

2017-2018 School Year Calendar – TENTATIVE

July 4	Tuesday	Holiday* – Independence Day Schools and Offices Closed
August 7-9	Monday - Wednesday	Professional Duty Days for New Teachers
August 14-17	Monday - Thursday	Professional Duty Days for All Teachers
August 16	Wednesday	Professional Development
August 17	Thursday	Systemic Orientation Day for Pre-K and Kindergarten Students
August 21	Monday	Systemic Orientation Day for New 6 th & 7 th Grade Middle-Schoolers & New 9 th -Graders
August 22	Tuesday	First Day of School for All Students
September 1	Friday	Eid al-Adha**
September 4	Monday	Holiday* – Labor Day – Schools and Offices Closed
September 21	Thursday	Holiday* – Rosh Hashanah** – Schools and Offices Closed
September 29	Friday	Professional Development – Schools Closed for Students***
September 30	Saturday	Yom Kippur**
October 20	Friday	MSEA Convention – Schools Closed for Students and Teachers***
October 19	Thursday	Diwali**
October 27	Friday	End of First Quarter (45 days)
October 30	Monday	Professional Day for Teachers – Schools Closed for Students***
November 10	Friday	Veterans Day (Observed) & Parent-Teacher Conferences – Schools Closed for Students***
November 22-24	Wednesday - Friday	Holidays* – Thanksgiving – Schools and Offices Closed
December 8	Friday	Professional Development – 2-Hr. Early Dismissal for Students
December 25-29	Monday - Friday	Winter Break* & Christmas Holiday – Schools and Offices Closed
January 1	Monday	Winter Break* – New Year's Holiday – Schools and Offices Closed
January 11	Thursday	End of Second Quarter (43 days)
January 12	Friday	Professional Day for Teachers – Schools Closed for Students***
January 15	Monday	Holiday* – Martin L. King, Jr. Day – Schools and Offices Closed
February 9	Friday	Professional Development – Schools Closed for Students***
February 19	Monday	Holiday* – Presidents' Day – Schools and Offices Closed
March 22	Thursday	End of Third Quarter (46 days)
March 23	Friday	Professional Day for Teachers – Schools Closed for Students***
March 30 & April 2	Friday & Monday	Holidays* – Easter – Schools and Offices Closed
March 31-April 6	Saturday - Friday	Passover**
April 3-6	Tuesday - Friday	Spring Break – Schools Closed for Students and Teachers***
May 16	Wednesday	First Day of Ramadan
May 28	Monday	Holiday* – Memorial Day – Schools and Offices Closed
June 5	Tuesday	2-Hr. Early Dismissal for Students (<i>Subject to change due to inclement weather: may become a full day for students if the last day changes; the 2-hour early dismissal will occur the day before the last day for students</i>)
June 6	Wednesday	Last Day for Students – 2-Hr. Early Dismissal – End of Fourth Quarter (46 days) (<i>Subject to change due to inclement weather; the 2-hour early dismissal will occur on the last day for students</i>)***
June 7	Thursday	Last Day for Teachers (<i>Subject to change due to inclement weather</i>)***
June 7, 8, 11 & 12	Thursday, Friday, Monday & Tuesday	Inclement Weather Make-Up Days
June 14	Thursday	Last Day of Ramadan
June 15	Friday	Eid al-Fitr**

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*All schools and offices closed

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***10- and 11-month employees should refer to Bulletin M-1-18: *Scheduled Workdays and Allocation for Supporting Personnel and 11-Month Professional Personnel for the 2017-2018 School Year* (Released in July 2017) for clarification on workdays.